THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
FEDERAL REGISTER
OF THE UNITED STATES 1934

VOLUME 15 NUMBER 180

Washington, Saturday, September 16, 1950

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 4—GENERAL PROVISIONS

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

PART 34—APPOINTMENT, COMPENSATION, AND REMOVAL OF HEARING EXAMINERS

MISCELLANEOUS AMENDMENTS

1. Effective upon publication in the FEDERAL REGISTER, paragraph (a) of § 4.106 is amended and a new paragraph (d) is added; § 4.107 is amended and new §§ 4.108 and 4.109 are added. As amended, §§ 4.106 to 4.109 read as follows:

§ 4.106 *Penalties.* (a) Violations of § 4.1 are by law violations also of section 9 (a) of the Hatch Act, and the penalty required by that act must of necessity be imposed. The employee must be immediately removed from the position or office held and may not again be employed in such position or office unless the Commission by unanimous vote finds that the violation does not warrant removal. In the case of such unanimous finding a suspension of not less than 90 calendar days shall be applied by direction of the Commission. If the appointing officer fails to carry out the instructions of the Commission within ten days after receipt thereof, the Commission shall certify the facts to the head of the agency concerned for proceedings for withholding salary in accordance with § 5.5.

(b) When the Commission directs the removal of an employee for a violation of § 4.1, and the Hatch Act, the penalty laid down in paragraph (a) of this section shall be applied, even where the agency reports that the individual has been removed, on grounds other than a violation of § 4.1 of Rule IV and the Hatch Act. Such individual may not again be employed in the position from which he was removed. The provisions of § 4.107 regarding reemployment in positions other than the one from which removal was effected shall also apply.

(c) The above procedure shall apply also where an employee has resigned from his position or office prior to the Commission's determination that he had violated § 4.1, and the Hatch Act.

(d) In cases where an agency upon investigation finds that an employee occupying an excepted position has violated the provisions of section 9 (a) of the Hatch Act the agency may refer the matter to the Commission with a detailed statement of the facts and evidence for a determination whether the violation is such as to warrant a penalty of less than removal. If the agency effectuates the removal without first consulting the Commission the employee so removed may request the Commission to review his case, and if the Commission finds by unanimous vote that the violation did not warrant removal the individual's record shall be immediately cleared so as to make him eligible for further Federal employment. However, there is no provision of law under which the agency is required to reemploy the excepted employee.

(Applies sec. 9 (b), 53 Stat. 1148, as amended by Pub. Law 732, 81st Cong.; 5 U. S. C. Sup. II, 118 (i))

§ 4.107 *Reemployment.* (a) An employee removed for violation of § 4.1 may not be employed again, in accordance with a decision by the Comptroller General on the law (25 Comp. Gen. 271), in any position the salary or compensation of which is payable under the same appropriation as the position from which removed: *Provided*, That in all cases involving a finding that a Federal employee has engaged in prohibited political activity resulting in removal the Commission may consider the matter from a suitability standpoint and may establish a definite period of debarment applicable to the employee for all Federal positions within the Commission's jurisdiction.

(Applies sec. 9 (b), 53 Stat. 1148, as amended by Pub. Law 732, 81st Cong.; 5 U. S. C. Sup. II, 118 (i))

§ 4.108 *Suspension.* Where an employee is suspended for a period of time (not less than 90 days) at the direction of the Commission such employee is not eligible for Federal employment in other positions or agencies during the entire period of his suspension.

(Applies sec. 9 (b), 53 Stat. 1148, as amended by Pub. Law 732, 81st Cong.; 5 U. S. C. Sup. II, 118 (i))

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Division of the Federal Register, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

§ 4.109 *Reopening cases.* (a) Employeees removed between August 2, 1939, and August 25, 1950, for established political activity violations may request that the Commission reopen their cases to determine whether the violations warranted removal from the service. The request must be made in writing by the individual concerned and may be accompanied by evidence or affidavits to support the plea that the violation did not warrant removal.

(b) In reopened cases where the original removal was based upon a Commission finding that the individual had engaged in prohibited political activity no further investigation will be made and no hearing will be held, and the Commission's decision will be based upon the existing record plus any evidence or affidavits submitted by the individual in support of his request.

(c) In reopened cases where the original removal was based upon a finding of the employing agency that the individual had engaged in prohibited political activity the Commission will secure from the employing agency any files or copies of files relating to the case and will conduct such further inquiry as the circumstances may require. The final decision of the Commission will be based on this record plus any evidence or affidavits submitted by the individual in support of his request.

(d) If in either of the cases described in paragraph (b) or (c) of this section the Commission finds by unanimous vote that the heretofore established violation was not such as to warrant the individual's removal from the service the Commission shall issue an order revoking any restrictions against the individual's future Federal employment. However, no such revocation shall become effective until at least 90 days have elapsed following the date of removal of the individual.

(e) A Commission revocation order issued in accordance with paragraph (d) of this section will merely clear the individual's record for further Federal employment and will not in itself effectuate such reemployment or require that the individual be reemployed in the position from which removed or any other position in the same agency.

(Applies sec. 9 (b), 53 Stat. 1148, as amended by Pub. Law 732, 81st Cong.; 5 U. S. C. Sup. II, 118 (i))

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 9830, Feb. 24, 1947, 12 F. R. 1259; 3 CFR, 1947 Supp.)

2. Effective upon publication in the FEDERAL REGISTER, a new paragraph (t) is added to § 6.101 as follows:

§ 6.101 *Entire executive civil service.* * * *

(t) Subject to prior approval by the Commission, positions in Federal mental institutions when filled by persons who have been patients of such institutions and been discharged, and are certified by the medical head thereof as recovered sufficiently to be regularly employed but it is believed desirable and in the interest of the persons and the institution that they be employed at the institution.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 9830, Feb. 24, 1947, 12 F. R. 1259; 3 CFR, 1947 Supp. E. O. 9973, June 28, 1948, 13 F. R. 3600; 3 CFR, 1948 Supp.)

3. Effective upon publication in the FEDERAL REGISTER subparagraph (1) of § 34.5 (b) is amended and a new subparagraph (4) is added. As amended, § 34.5 (b) reads as follows:

§ 34.5 *Promotion, reassignment, and transfer.* * * *

(b) *From a position other than a hearing examiner position.* (1) Except as provided in subparagraphs (3) and (4) of this paragraph, when an agency desires to fill a vacancy in a hearing examiner position by the promotion, reassignment, or transfer of an employee who has a competitive status and is serving in a position other than a hearing examiner position, it shall submit the name of the person to the Commission, together with an application form executed by him. The Commission will rate the qualifications of the applicant in accordance with the experience and training requirements of the open competitive examination (except the maximum age requirement), including an investigation of character and suitability and an oral interview. The name of the person proposed will be entered on the open competitive register in accordance with the rating received. If his name is then within reach for certification, the Commission will approve the promotion, reassignment, or transfer; otherwise it will disapprove the request.

(2) An employee without competitive status, serving in a position other than a hearing examiner position, may be appointed to a hearing examiner position only after competition in the open competitive examination and upon certification by the Commission from the open competitive register.

(3) Positions which have been allocated as hearing examiner positions subsequent to June 11, 1947, on the basis of legislation, Executive order, or decision of a court, may be filled by the promotion or reassignment in accordance with Part 8 of this chapter, of qualified employees with competitive status who were serving in the agency concerned on the date of the action on which the allocation of the position was based: *Provided*, That recommendation for such promotion or reassignment is received by the Commission not later than six months following said date. Prior approval of the Commission must be secured before a promotion or reassignment is effected.

(4) An employee with competitive status may acquire an absolute appointment as a hearing examiner provided he meets the other requirements set for acquisition of competitive status by nonstatus incumbents of hearing examiner positions under Executive Order 10157 of August 28, 1950.

(Sec. 11, 60 Stat. 244; 5 U. S. C. 1010)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] HARRY B. MITCHELL,
Chairman.

[F. R. Doc. 50-8111; Filed, Sept. 15, 1950; 8:50 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Export and Diversion Programs

PART 518—FRUITS AND BERRIES, DRIED AND PROCESSED

SUBPART—CONCENTRATED ORANGE JUICE EXPORT PROGRAM (FISCAL YEAR 1951)

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AUTHORITY: §§ 518.255 to 518.267 issued under sec. 32, 49 Stat. 774, as amended; 7 U. S. C, and Sup., 612c.

§ 518.255 *General statement.* (a) The United States Department of Agriculture (hereinafter referred to as USDA) hereby offers to make payments to U. S. exporters in connection with the exportation of concentrated orange juice to ECA countries for use in experimental feeding programs subject to the terms and conditions hereinafter set forth.

(b) The purpose of this offer is to make available, to not more than six ECA countries which desire it, a small quantity of concentrated orange juice for experimental feeding of children and expectant mothers to correct a common dietary deficiency of vitamin C.

(c) The United Kingdom and Norway are excluded because they have already developed such programs.

§ 518.256 *Provisions of program.* (a) The representative or agency of any ECA country which desires to participate in this program should forward a written request to USDA giving the following information:

1. The quantity of concentrated orange juice desired, not to exceed 1,800 gallons (this quantity is sufficient to supply 1,000 persons a 5-ounce daily serving of reconstituted orange juice for a period of one year);

2. The approximate number of persons to be served; and

3. A brief description of the proposed plan of operation and the approximate duration of the program.

Such representative or agency shall also agree (1) to use the concentrated orange juice only for experimental feeding programs for children and expectant mothers; (2) that a report on the acceptability of the product and the results of the experiment will be furnished USDA at the end of the experiment; and (3) that no funds appropriated under any law of the United States providing for the furnishing of assistance or relief to foreign countries will be used in payment of any part of the purchase price of this commodity.

(b) Upon approval of the application by USDA the representative or agency of the participating country will be free to make contract arrangements directly with any U. S. exporter for the procurement and shipment of the product. The name of the U. S. exporter with whom such contract has been negotiated shall be furnished USDA.

(c) After exportation of the product and receipt by USDA of a claim supported by documents evidencing exportation and compliance with the terms of this offer, payments will be made to U. S. exporters who supply the concentrated orange juice.

(d) Further information concerning this program may be obtained by communicating with F. N. Andary, Fruit and Vegetable Branch, Production and Marketing Administration, U. S. Department of Agriculture, Washington 25, D. C., or J. Henry Burke, % Agricultural Attaché, American Embassy, Paris, France.

§ 518.257 *Specifications.* All concentrated orange juice delivered pursuant to this offer shall be processed and packed in the United States, shall be made from sound oranges, shall be prepared and packed under sanitary conditions, and shall meet the requirements for U. S. Grade A concentrated orange juice as defined in the "United States Standards for Grades of Canned Concentrated Orange Juice," effective August 16, 1943, as amended November 1, 1944. The Brix value shall be not less than 65°, when determined in accordance with the Refractometric Method and corrected for anhydrous citric acid. Ascorbic Acid (vitamin C) shall be present in the amount of not less than 2 milligrams per gram of concentrated juice. The concentrated orange juice shall be pasteurized sufficiently to assure preservation of the product in hermetically sealed containers. Juice in any amount processed from navel oranges shall not be included.

§ 518.258 *Inspection.* Exporters shall furnish certificates of inspection without cost to USDA for each lot of concentrated orange juice exported pursuant to this offer. Such certificates shall be issued by representatives of the Processed Products Standardization and Inspection Division, Fruit and Vegetable Branch, Production and Marketing Administration, U. S. Department of Agriculture. Samples for inspection shall be furnished without cost to USDA. Inspection shall be performed as soon as practicable prior to loading for shipment to the port of exportation.

§ 518.259 *Containers.* Concentrated orange juice exported pursuant to this offer shall be packed in No. 3 cylinder cans (404 x 700) 12 cans per case; No. 10 cans (603 x 700) 6 cans per case; or gallon cans (603 x 812) 6 cans per case. Such cans shall be the "sanitary" type, either plain or enamel lined and shall be filled with concentrated orange juice as full as practicable. Cases shall be suitable for export shipment.

§ 518.260 *Labels and markings.* Regular commercial labels may be used but shall include instructions for rehydration of the product. Each case shall be marked on one end in large letters as follows: "Store at 45° F. or less; 7° C. or less. Product of the USA."

§ 518.261 *Period of operation.* Sales for export under this offer shall be made on or before June 30, 1951, and exportation must be accomplished before September 1, 1951.

§ 518.262 *Rates of payment.* The rates of payment to U. S. exporters shall be as follows but in no event shall the rates of payment exceed the market price of the product, basis f. o. b. processing plant:

For shipments made from U. S. ports on or:

Before Nov. 1, 1950	After Nov. 2, 1950	Unit
$3.80	$2.50	Gallon can.
2.65	1.90	No. 10 can.
1.30	.95	No. 3 cylinder can.

By establishing two sets of rates for different seasons, recognition is given to the probable changes in market prices after November 1, 1950, when the new crop of oranges becomes available.

§ 518.263 *Claims for payment.* Exporters shall file claims for payment in an original and three copies on voucher form FDA-564 "Public Voucher—Diversion Programs," and each claim shall be supported by (a) two certified copies of the sales contract; (b) two certified copies of the sales invoice to the buyer; (c) the original and one copy of the inspection certificate; (d) two copies of the ocean on-board bill of lading signed by an agent of the steamship company; and (e) such other documents, if any, as may be required evidencing exportation of the product and compliance with the terms of this offer. All claims shall be submitted prior to September 30, 1951, to F. N. Andary, Fruit and Vegetable Branch, Production and Marketing Administration, U. S. Department of Agriculture, Washington 25, D. C.

§ 518.264 *Set-off.* USDA may set off against any amount owed to any exporter hereunder, any amount owed by such exporter to USDA or any other agency of the United States.

§ 518.265 *Assignments.* No exporter shall, without the written consent of the Director, Fruit and Vegetable Branch, assign any right of the exporter against USDA hereunder.

§ 518.266 *Persons not eligible.* No member of or delegate to Congress, or resident Commissioner, shall be admitted to any share or part of any payment made under this offer or to any benefit that may arise therefrom, but this provision shall not be construed to extend to a payment made to a corporation for its general benefit.

§ 518.267 *Amendment.* This offer may be amended by USDA at any time upon not less than 10 days notice by public announcement of such amendment. Public announcement may be made by press release or by publication in the FEDERAL REGISTER. Notice of such amendment will be transmitted promptly to every country and exporter participating in the program, as reflected by the records of the Fruit and Vegetable Branch. Any such amendment shall not be applicable to sales for export made prior to the effective time and date of such amendment.

Effective date. This offer shall be effective on September 18, 1950.

Dated this 13th day of September 1950.

[SEAL] FLOYD F. HEDLUND,
Authorized Representative of the Secretary of Agriculture.

[F. R. Doc. 50-8128; Filed, Sept. 15, 1950; 8:52 a. m.]

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

PART 701—NATIONAL AGRICULTURAL CONSERVATION PROGRAM

SUBPART—1951

Correction

In Federal Register Document 50-7948, published at page 6109 in the issue for Tuesday, September 12, 1950, the following changes should be made:

1. In § 701.241 (c) the second line in subparagraph (2) under *Maximum assistance* should read, "than land preparation) of sodding or sprig-".

2. In the table in § 701.273 (c) the 33d line in the column *Amount of payment computed* should read "$33 to $33.99".

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Lemon Reg. 348]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.455 *Lemon Regulation 348*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended order; the recommendation and supporting information for regulation during the period

specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on September 13, 1950, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., September 17, 1950, and ending at 12:01 a. m., P. s. t., September 24, 1950, is hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 275 carloads;

(iii) District 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation No. 347 (15 F. R. 6070), and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," "District 2" and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 7 CFR Part 953; 14 F. R. 3612)

Done at Washington, D. C., this 14th day of September 1950.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 50-8186; Filed, Sept. 15, 1950; 10:10 a. m.]

PART 959—IRISH POTATOES IN THE COUNTIES OF CROOK, DESCHUTES, JEFFERSON, KLAMATH, AND LAKE IN OREGON, AND MODOC AND SISKIYOU IN CALIFORNIA

LIMITATION OF SHIPMENTS

§ 959.304 *Limitation of shipments*—(a) *Findings.* (1) Pursuant to the provisions of Marketing Agreement No. 114 and Order No. 59, as amended (7 CFR, Part 959), regulating the handling of Irish potatoes grown in the counties of Crook, Deschutes, Jefferson, Klamath, and Lake in the State of Oregon, and Modoc and Siskiyou in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 61 Stat. 202, 707; 62 Stat. 1247; 63 Stat. 1051), and upon the basis of the recommendation and information submitted by the Oregon-California Potato Committee, and other available information, it is hereby found that the limitation of shipments of such potatoes as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U. S. C. (1001 et seq.) in that: (i) Shipments of 1950 crop of Irish potatoes grown in the production area have begun; (ii) more orderly marketing in the public interest than would otherwise prevail will be promoted by regulating the shipment of potatoes in the manner set forth below on and after the effective date hereinafter set forth; (iii) compliance with this section will not require any preparation on the part of handlers which cannot be completed by the effective date hereof; (iv) a reasonable time is permitted, under the circumstances, for such preparation; (v) the time intervening between the date information necessary for the issuance of such limitation of shipments became available and the time such limitation must become effective to effectuate the declared policy of the act is insufficient; and (vi) information regarding the committee's marketing policy and its recommendation has been made available to producers and handlers in the production area.

(b) *Order.* (1) During the period beginning September 18, 1950, and ending June 30, 1951, both dates inclusive, no handler shall ship potatoes which do not meet the requirements of U. S. No. 2 or better grade, and which are of sizes smaller than 2 inches minimum diameter or 4 ounces minimum weight, as such grades and sizes are defined in the U. S. Standards for Potatoes (14 F. R. 1955, 2161), including the tolerances set forth therein: *Provided,* That the aforesaid grade and size limitations shall not be applicable to any shipment of potatoes of 20 hundredweight or less at any one time.

(2) During the period beginning September 18, 1950, and ending November 1, 1951, both dates inclusive, no handler shall ship potatoes which do not comply with the aforesaid grade and size requirements and which are more than "slightly skinned" as such term is defined in the U. S. Standards for Potatoes (14 F. R. 1955, 2161), which means not more than 10 percent of the potatoes in any lot may have more than 25 percent of skin missing or feathered: *Provided,* That one lot of not to exceed 300 hundredweight of each variety of potatoes of each producer may be handled without regard to the aforesaid skinning requirements if the handler thereof reports, prior to such handling, the name and address of the producer of each such lot, and each such lot is handled as an identifiable entity.

(3) The limitations set forth in subparagraphs (1) and (2) of this paragraph shall not be applicable to (i) shipments of potatoes for the purpose of having such potatoes graded or stored in the production area, (ii) shipments of potatoes for export, (iii) shipments of potatoes for distribution by the Federal Government, for distribution by relief agencies, or for consumption by charitable institutions, (iv) shipments of potatoes for the purpose of having such potatoes manufactured or converted into starch, glucose, alcohol and dehydrated livestock feed products, (v) shipments of potatoes for livestock feed, and (vi) shipments of seed potatoes: *Provided,* That each handler making shipments for any of such purposes shall, prior to effecting each shipment, file an application with the committee to do so and have each of such shipments inspected and pay assessments in connection therewith, except that the payment of assessments and the procurement of inspection shall not be required for shipments of potatoes for the purpose of having such potatoes graded or stored in the production area.

(4) The terms used herein shall have the same meaning as when used in Marketing Agreement No. 114 and Order No. 59, as amended (7 CFR Part 959).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 14th day of September 1950.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 50-8165; Filed, Sept. 15, 1950; 8:52 a. m.]

[Orange Reg. 340]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 966.486 *Orange Regulation 340*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66, as amended (7 CFR Part 966; 14 F. R. 3614), regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said amended order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2 It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available

and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Orange Administrative Committee on September 14, 1950, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., September 17, 1950, and ending at 12:01 a. m., P. s. t., September 24, 1950, is hereby fixed as follows:

(i) *Valencia oranges.* (*a*) Prorate District No. 1: unlimited movement; (*b*) Prorate District No. 2: 1,150 carloads; (*c*) Prorate District No. 3: unlimited movement.

(ii) *Oranges other than Valencia oranges.* (*a*) Prorate District No. 1: No movement; (*b*) Prorate District No. 2: no movement; (*c*) Prorate District No. 3: no movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "varieties," "carloads," and "prorate base" shall have the same meaning as when used in the said amended order; and the terms "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as given to the respective term in § 966.107 of the current rules and regulations (14 F. R. 6588) contained in this part.

Orange Regulation 332 (7 CFR 966.478, 15 F. R. 3863) fixes the sizes of designated oranges which may be handled during the aforesaid period.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 15th day of September 1950.

[SEAL] FLOYD F. HEDLUND,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 a. m. Sept. 17, 1950, to 12:01 a. m. Sept. 24, 1950]

VALENCIA ORANGES

Prorate District No. 2

Handler	*Prorate base (percent)*
Total	100.0000
A. F. G. Alta Loma	.1875
A. F. G. Corona	.0533
A. F. G. Fullerton	.8529
A. F. G. Orange	.4499
A. F. G. Riverside	.1846
A. F. G. San Juan Capistrano	.9665
A. F. G. Santa Paula	.4119
Eadington Fruit Co., Inc	5.2519
Hazeltine Packing Co	.4673
Placentia Pioneer Valencia Growers Association	.6410
Signal Fruit Association	.1335
Azusa Citrus Association	.5849
Damerel-Allison Co	.8748
Glendora Mutual Citrus Association	.4546
Puente Mutual Citrus Association	.1724
Valencia Heights Orchard Association	.4769
Covina Citrus Association	1.0322
Covina Orange Growers Association	.4565
Glendora Citrus Association	.4825
Gold Buckle Association	1.0756
La Verne Orange Association	.7594
Anaheim Citrus Fruit Association	.8508
Anaheim Valencia Orange Association	.8602
Fullerton Mutual Orange Association	1.3795
La Habra Citrus Association	1.3912
Orange County Valencia Association	.1001
Yorba Linda Citrus Association	.9479
Escondido Orange Association	.4500
Alta Loma Heights Citrus Association	.0703
Citrus Fruit Growers	.2209
Cucamonga Citrus Association	.1638
Etiwanda Citrus Fruit Association	.0000
Old Baldy Citrus Association	.2179
Rialto Heights Orange Association	.0751
Upland Citrus Association	.5858
Upland Heights Orange Association	.2421
Consolidated Orange Growers	1.7201
Frances Citrus Association	1.1360
Garden Grove Citrus Association	1.0166
Goldenwest Citrus Association, The	1.5244
Irvine Valencia Growers	3.0569
Olive Heights Citrus Association	2.0273
Santa Ana-Tustin Mutual Citrus Association	.8446
Santiago Orange Growers Association	3.7470
Tustin Hills Citrus Association	1.9588
Villa Park Orchards Association	2.1019
Bradford Bros., Inc	.7611
Placentia Coop. Orange Association	.5747
Placentia Mutual Orange Association	2.3583
Placentia Orange Grs. Association	1.4357
Yorba Orange Growers Association	.8013
Call Ranch	.0907
Corona Citrus Association	.6751
Jameson Co	.0150
Orange Heights Orange Association	.6331
Crafton Orange Growers Association	.6514
East Highlands Citrus Association	.1706

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	*Prorate base (percent)*
Fontana Citrus Association	0.0965
Redlands Heights Groves	.3128
Redlands Orangedale Association	.2952
Break & Son, Allen	.0877
Bryn Mawr Fruit Growers Association	.2410
Mission Citrus Association	.2309
Redlands Coop. Fruit Association	.4669
Redlands Orange Growers Association	.2761
Redlands Select Groves	.5288
Rialto Citrus Association	.1814
Rialto Orange Co	.1981
Southern Citrus Association	.2106
United Citrus Growers	.1876
Zilen Citrus Co	.0497
Arlington Heights Citrus Co	.1536
Brown Estate, L. V. W	.1508
Gavilan Citrus Association	.1790
Highgrove Fruit Association	.0793
Krinard Packing Co	.2581
McDermont Fruit Co	.2159
Monte Vista Citrus Association	.3156
National Orange Co	.0491
Riverside Heights Orange Association	.0907
Sierra Vista Packing Association	.0782
Victoria Ave. Citrus Association	.2487
Claremont Citrus Association	.0960
College Heights Orange & Lemon Association	.4509
Indian Hill Citrus Association	.2545
Pomona Fruit Growers Exchange	.4185
Walnut Fruit Growers Association	.6427
West Ontario Citrus Association	.3458
El Cajon Valley Citrus Association	.0000
Escondido Cooperative Citrus Association	.0000
San Dimas Orange Growers Association	.3639
Canoga Citrus Association	.9414
Covina Valley Orange Co	.0187
N. Whittier Heights Citrus Association	.9711
San Fernando Fruit Growers Association	.8121
San Fernando Heights Orange Association	1.2273
Sierra Madre-Lamanda Citrus Association	.5092
Camarillo Citrus Association	1.6221
Fillmore Citrus Association	3.7878
Mupu Citrus Association	2.2021
Ojai Orange Association	.9801
Piru Citrus Association	1.9325
Rancho Sespe	.8962
Santa Paula Orange Association	1.2985
Tapo Citrus Association	1.1273
Ventura County Citrus Association	.4049
Limoneira Co	.6324
East Whittier Citrus Association	.5771
Whittier Citrus Association	1.3571
Anaheim Cooperative Orange Association	1.3476
Bryn Mawr Mutual Orange Association	.1422
Chula Vista Mutual Lemon Association	.0000
Euclid Avenue Orange Association	.7928
Foothill Citrus Union, Inc	.0845
Fullerton Cooperative Orange Association	.3267
Garden Grove Orange Cooperative, Inc	.7061
Golden Orange Groves, Inc	.2817
Highland Mutual Groves, Inc	.0000
Index Mutual Association	.5281
La Verne Cooperative Citrus Association	1.8604
Mentone Heights Association	.0413
Olive Hillside Groves, Inc	.5828
Orange Cooperative Citrus Association	1.9133
Redlands Foothill Groves	.8328

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Redlands Mutual Orange Association	0.2478
Ventura County Orange & Lemon Association	1.3806
Whittier Mutual Orange & Lemon Association	.1676
Babijuice Corp. of California	.2360
Banks, L. M.	.5018
Bennett Fruit Co., Inc.	.0342
Borden Fruit Co.	.6707
Cherokee Citrus Co., Inc.	.1469
Chess Co., Meyer W.	.4741
Dunning Ranch	.0000
Evans Bros. Packing Co.	.6309
Gold Banner Association	.2605
Granada Hills Packing Co.	.0369
Granada Packing House	.3490
Hills Packing House, Fred A.	.1115
Knapp Packing Co., John A.	.2920
L Bar S Ranch	.0000
Lawson, William J.	.0096
Orange Belt Fruit Distributors	1.6899
Otte, Arnold	.0287
Pacific Citrus Distributors	.0042
Panno Fruit Co., Carlo	.4218
Paramount Citrus Association	.8790
Patitucci, Frank L.	.0000
Placentia Orchard Co.	.4511
Riverside Citrus Association	.0688
Ronneberg, Jerry L.	.0013
San Antonio Orchards Co.	.3627
Stephens, T. F.	.1431
Summit Citrus Packers	.0068
Treesweet Products Co.	.0983
Wall, E. T., Grower-Shipper	.1554
Western Fruit Growers, Inc.	.7297

[F. R. Doc. 50-8204; Filed, Sept. 15, 1950; 11:39 a. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Federal Reserve System

Subchapter A—Board of Governors of the Federal Reserve System

[Reg. W]

PART 222—CONSUMER INSTALMENT CREDIT

AUTOMOBILE APPRAISAL GUIDES

§ 222.101 *Automobile Appraisal Guides.* (a) This part as issued effective September 18, 1950, provides in § 222.9, Part 4, that the credit value of any automobile is based on the lower of either (1) the cash price or (2) the average retail value stated in one of the appraisal guides designated by the Board of Governors of the Federal Reserve System.

(b) For these purposes, the Board has designated certain editions and issues of the appraisal guides listed below. Detailed information as to the designations may be obtained from any Federal Reserve Bank or Branch. A dealer is not required to use any particular automobile appraisal guide but, for purposes of complying with this part, may use quotations from any of the appraisal guides that are designated for use in his territory.

(c) The automobile models for which designations will initially apply are limited to used cars of model years 1941 to 1950, inclusive. In the case of these cars, the maximum credit value on and after September 18, 1950, will be the specified percentage (now 66⅔ percent) of whichever is the lower of (1) the cash purchase price or (2) the "appraisal guide value" (as determined from any designated guide). For those automobiles which do not have an "appraisal guide value" (new automobiles, used 1951 models, and used cars of 1940 and older models) the maximum credit value will be the specified percentage of the cash purchase price.

(d) The "appraisal guide value" to be used for the purposes of Part 222 does not include any added value for cars equipped with a radio or heater, but it may include the added value specified in the appraisal guide for cars having an overdrive or automatic transmission as extra equipment.

AUTOMOBILE APPRAISAL GUIDES DESIGNATED FOR PURPOSES OF PART 222 AND TERRITORIES FOR WHICH EACH GUIDE IS DESIGNATED

Name of Guide, Publisher and Address; Issues Designated; and Territory for Which Guide Is Designated

American Auto Appraisal, published by American Auto Appraisal, 194 Grove Avenue, Detroit 3, Mich.; September–October 1950, November–December 1950, January–February 1951, March–April 1951, May–June 1951; Region A.[1]

Blue Book—Executives Edition, published by National Used Car Market Report, Inc., 900 South Wabash Avenue, Chicago 5, Ill.; August 15–September 30, 1950, October 1–November 14, 1950, November 15–December 31, 1950, January 1–February 14, 1951, February 15–March 31, 1951, April 1–May 14, 1951, May 15–June 30, 1951; Regions A, B, and C.[1]

Kelley Blue Book Official Guide, published by Les Kelley, 1221 South Figueroa Street, Los Angeles 15, Calif.; September–October 1950, November–December 1950, January–February 1951, March–April 1951, May–June 1951; Region C.[1]

Market Analysis Report, published by Used Car Statistical Bureau, Inc., 93 Massachusetts Avenue, Boston 15, Mass.; September–October 1950, November–December 1950, January–February 1951, March–April 1951, May–June 1951; the six New England States, New Jersey, New York, and Pennsylvania.

N. A. D. A. Official Used Car Guide, published by National Automobile Dealers Used Car Guide Co., 1026 Seventeenth Street NW., Washington 6, D. C.; September 1950, October 1950, November 1950, December 1950, January 1951, February 1951, March 1951, April 1951, May 1951, June 1951; 5 Regions.[2]

Northwest Used Car Values, published by Northwest Publishing Company, 90 University Street, Seattle 1, Wash.; September 1950, October 1950, November 1950, December 1950, January 1951, February 1951, March 1951, April 1951, May 1951, June 1951; Washington, Oregon, Idaho, and Montana.

Official Automobile Guide, Price Edition, published by Recording and Statistical Corporation, 222 West Adams Street, Chicago 5, Ill.; September–October 1950, November–December 1950, January–March 1951, April–June 1951; Regions A, B, and C.[1]

Official Automobile Guide, Price Edition, published by National Research Bureau, Inc., 415 Dearborn Street, Chicago 10, Ill.; September–October 1950, November–December 1950, January–March 1951, April–June 1951; Regions A, B, and C.[1]

Official Used Car Survey, published by Motor Vehicle Dealers Administration, Nebraska, State House, Lincoln, Nebr.; September–October 1950, November–December 1950, January–March 1951, April–June 1951; Nebraska.

Official Wisconsin Automobile Valuation Guide, published by Wisconsin Automotive Trades Association, 119 Monona Avenue, Madison 3, Wis.; August 15–September 30, 1950, October 1–November 14, 1950, November 15–December 31, 1950, January 1–February 14, 1951, February 15–March 31, 1951, April 1–May 14, 1951, May 15–June 30, 1951; Wisconsin.

Red Book National Used Car Market Report, published by National Used Car Market Report, Inc., 900 South Wabash Avenue, Chicago 5, Ill.; August 15–September 30, 1950, October 1–November 14, 1950, November 15–December 31, 1950, January 1–February 14, 1951, February 15–March 31, 1951, April 1–May 14, 1951, May 15–June 30, 1951; Regions A, B, and C.[2]

In the formulation of the foregoing, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

(Sec. 5, 40 Stat. 415, as amended. Title VI, Pub. Law 774, 81st Cong.; 50 U. S. C. App. 5. E. O. 8843, Aug. 9, 1941, 6 F. R. 4035; 3 CFR, 1941 Supp.)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] S. R. CARPENTER,
Secretary.

[F. R. Doc. 50-8202; Filed, Sept. 15, 1950; 10:11 a. m.]

PART 224—DISCOUNT RATES

MISCELLANEOUS AMENDMENTS

Pursuan to section 14 (d) of the Federal Reserve Act, and for the purpose of adjusting discount rates with a view of accomodating commerce and business in

[1] The regions for which publication is designated comprise the following States:

Region A: Alabama, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois—except Madison, St. Clair and Rock Island Counties, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin—except Douglas County.

Region B: Arkansas, Colorado, Illinois—Madison, St. Clair and Rock Island Counties, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Wisconsin—Douglas County, and Wyoming.

Region C: Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington.

[2] The regions for which each of the five territorial editions of N. A. D. A. Official Used Car Guide is designated are as follows:

Region "A": Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Tennessee—Sullivan County only, Vermont, and Virginia.

Region "B": Arkansas—Miller County only, Colorado, Louisiana, Montana, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming.

Region "C": Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington.

Region "D": Alabama, Arkansas—except Miller County, Florida, Georgia, Illinois—Madison, Rock Island, St. Clair Counties only, Kansas, Minnesota, Mississippi, Missouri, Nebraska, North Carolina, Tennessee—except Sullivan County, South Carolina, and Wisconsin—Douglas County only.

Region "E": Illinois—except Madison, Rock Island, St. Clair Counties, Indiana, Kentucky, Michigan, Ohio, West Virginia, and Wisconsin—except Douglas County.

accordance with other related rates and the general credit situation of the country, Part 224 is amended as set forth below.

1. Section 224.2 is amended to read as follows:

§ 224.2 *Advances and discounts for member banks under sections 13 and 13a.* The rates for all advances and discounts under section 13 and 13a of the Federal Reserve Act (except advances under the last paragraph of such section 13 to individuals, partnerships or corporations other than member banks) are:

Federal Reserve Bank of—	Rate	Effective
Boston	1¾	Aug. 21, 1950
New York	1¾	Do.
Philadelphia	1¾	Aug. 25, 1950
Cleveland	1¾	Do.
Richmond	1¾	Do.
Atlanta	1¾	Aug. 24, 1950
Chicago	1¾	Aug. 25, 1950
St. Louis	1¾	Aug. 23, 1950
Minneapolis	1¾	Aug. 22, 1950
Kansas City	1¾	Aug. 25, 1950
Dallas	1¾	Do.
San Francisco	1¾	Aug. 24, 1950

2. Section 224.3 is amended to read as follows:

§ 224.3 *Advances to member banks under section 10 (b).* The rates for advances to member banks under section 10 (b) of the Federal Reserve Act are:

Federal Reserve Bank of—	Rate	Effective
Boston	2¼	Aug. 21, 1950
New York	2¼	Do.
Philadelphia	2¼	Aug. 25, 1950
Cleveland	2¼	Do.
Richmond	2¼	Do.
Atlanta	2¼	Aug. 24, 1950
Chicago	2¼	Aug. 25, 1950
St. Louis	2¼	Aug. 23, 1950
Minneapolis	2¼	Aug. 22, 1950
Kansas City	2¼	Aug. 25, 1950
Dallas	2¼	Do.
San Francisco	2¼	Aug. 24, 1950

3. In § 224.4, relating to certain advances to persons other than member banks, the percentage rate for the Federal Reserve Bank of Cleveland is Changed to 2¾, effective August 25, 1950, and the percentage rate for the Federal Reserve Bank of Atlanta is changed to 2¾, effective August 24, 1950.

Section 224.5 is amended to read as follows:

§ 224.5 *Buying rates on bills.* The minimum buying rates for prime bankers' acceptances[1] are:

Federal Reserve Bank of—	Rate	Effective
Boston	1¾	Aug. 21, 1950
New York	1¾	Do.
Philadelphia	1¾	Aug. 25, 1950
Cleveland	1¾	Do.
Richmond	1¾	Do.
Atlanta	1¾	Aug. 24, 1950
Chicago	1¾	Aug. 25, 1950
St. Louis	1¾	Aug. 23, 1950
Minneapolis	1¾	Aug. 22, 1950
Kansas City	1¾	Aug. 25, 1950
Dallas	1¾	Do.
San Francisco	1¾	Aug. 24, 1950

[1] Rates shown for bankers' acceptances also apply, with same effective dates, to purchases of Government securities under resale agreement at the following Federal Reserve Banks: Boston, New York, Philadelphia, Cleveland, Chicago, and San Francisco. New York, Atlanta, and St. Louis have minimum buying rates on trade acceptances of 1¾ per cent, 2 per cent and 2 per cent, respectively, with same effective dates.

5. In § 224.7, relating to loans to financing institutions under section 13b of the Federal Reserve Act, the percentage rate for the Federal Reserve Bank of St. Louis on discounts or purchases on the portion for which the institution is obligated, is changed to 1¾–2¼, effective August 23, 1950.

For the reasons and good cause found as stated in § 224.8, there is no notice, public participation, or deferred effective date in connection with this action.

(Sec. 11,38 Stat. 262; 12 U. S. C. 248. Interpret or apply sec. 14, 38 Stat. as amended; 12 U S. C. 357)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] S. R. CARPENTER,
Secretary.

[F. R. Doc. 50-8112; Filed, Sept. 15, 1950; 8:50 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent Reg., Amdt. 283]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 220]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CERTAIN STATES

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) are amended in the following respects:

1. Schedule A, Item 33, is amended to describe the counties in the Defense-Rental Area as follows:

Merced County; Stanislaus County except the City of Modesto.

This decontrols the City of Modesto in Stanislaus County, California, a portion of the Modesto-Merced, California, Defense-Rental Area based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

2. Schedule A, Item 92, is amended to describe the counties in the Defense-Rental Area as follows:

Boone County, except the Village of Capron and all unincorporated localities in said County; and Winnebago County, except the Cities of Loves Park and Rockford and all unincorporated localities in said County.

De Kalb County, except all unincorporated localities in said County.

This decontrols the City of Loves Park in Winnebago County, Illinois, a portion of the Rockford, Illinois, Defense-Rental Area on the Housing Expediter's own initiative in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

3. Schedule A, Item 94b, is amended to read as follows:

(94b) [Revoked and decontrolled.]

This decontrols (1) the City of Bloomington in Monroe County, Indiana, a portion of the Bloomington, Indiana, Defense-Rental Area, and all unincorporated localities in said defense-rental area, based on a resolution submitted with respect to said City of Bloomington in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, said City of Bloomington being the major portion of said defense-rental area, and (2) the remainder of said defense-rental area, on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

4. Schedule A, Item 125a, is amended to read as follows:

(125a) [Revoked and decontrolled.]

This decontrols the entire Mayfield, Kentucky, Defense-Rental Area, on the Housing Expediter's own initiative in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

5. Schedule A, Item 168e, is amended to read as follows:

(168e) [Revoked and decontrolled.]

This decontrols the entire Chillicothe, Missouri, Defense-Rental Area based on a resolution submitted with respect to the City of Chillicothe, Missouri, in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, said City of Chillicothe being coextensive with the said defense-rental area.

6. Schedule A, Item 228, is amended to describe the counties in the Defense-Rental Area as follows:

Cuyahoga County, except the Cities of Bedford, Berea, Shaker Heights, and University Heights, and the Villages of Bay, Bentleyville, Brecksville, Chagrin Falls, Gates Mills, Highland Heights, Hunting Valley, Independence, Lyndhurst, Moreland Hills, North Olmsted, North Royalton, Orange, Pepper Pike, Seven Hills, Valley View, Westlake and West View; and in Lake County those parts of Kirtland Township included within the corporate limits of the Villages of Waite Hill and Willoughby, and Willoughby Township, except the Village of Wickliffe.

Lake County, other than Willoughby Township and those parts of Kirtland Township included within the corporate limits of the Villages of Waite Hill and Willoughby.

This decontrols the City of Shaker Heights in Cuyahoga County, Ohio, a portion of the Cleveland, Ohio, Defense-Rental Area based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

7. Schedule A, Item 356, is amended to describe the counties in the Defense-Rental Area as follows:

Wayne County; and Cabell County, except the Districts of Grant, McComas and Union, and except the Village of Barboursville.

In Lawrence County, the Townships of Upper, Perry, Fayetter, Union and Hamilton.

Boyd County; and Greenup County except Magisterial Districts 1, 2, 3, 4, 5, and 6.

This decontrols Magisterial Districts 1, 2, 3, 4, 5, and 6 in Greenup County, Kentucky, portions of the Huntington, West Virginia, Defense-Rental Area on the Housing Expediter's own initiative in accordance with section 204 (c) of the

Housing and Rent Act of 1947, as amended.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Supp. 1894)

This amendment shall become effective September 13, 1950.

Issued this 12th day of September 1950.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 50-8109; Filed, Sept. 15, 1950; 8:49 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter F—Personnel

PART 580—WOMEN'S ARMY CORPS

MISCELLANEOUS AMENDMENTS

Sections 580.2 and 580.12 are rescinded and the following substituted therefor:

§ 580.2 *Mission.* The mission of the Women's Army Corps is to provide for the assimilation and appropriate utilization within the Army of the volunteer womanpower of the Nation, with the exception of those women officers appointed in the Army Medical Service.

§ 580.12 *Discharge of enlisted women*—(a) *Pregnancy.* Discharge of any enlisted woman whose pregnancy is certified by a medical officer, or who gives birth to a living child, will be effected.

(b) *Laws and regulations.* All laws and regulations governing the discharge of enlisted men are also applicable to the discharge of enlisted women.

[C3, AR 625-5, 30 Aug. 1950] (R. S. 161, 5 U. S. C. 22. Interpret or apply 62 Stat. 356, 10 U. S. C. 316-316e)

[SEAL] EDWARD F. WITSELL,
Major General, U. S. A.,
The Adjutant General.

[F. R. Doc. 50-8110; Filed, Sept. 15, 1950; 8:49 a. m.]

Chapter VII—Department of the Air Force

Subchapter C—Claims and Accounts

PART 833—DEATH GRATUITY

REVISION OF REGULATIONS

The material contained in Chapter VII, Department of the Air Force (13 F. R. 8751; 32 CFR and 1949 Supp., 833), pertaining to the applicability of certain portions of Army Regulations to the Department of the Air Force is hereby amended by revoking the reference of Chapter VII, Part 833, Department of the Air Force to Chapter V, Part 533, Department of the Army, and substituting therefor Part 833, Death Gratuity.

Pursuant to the authority conferred by sections 207 (f) and 208 (e) of the National Security Act (61 Stat. 503, 504; 5 U. S. C., Sup., II, 626 (f), 626c (e)), Transfer Order 25, October 14, 1948 (13 F. R. 6270), and cited laws, the following regulation is hereby prescribed:

Sec.
833.1 Purpose.
833.2 General.
833.3 Definitions of categories.
833.4 Eligible beneficiaries.
833.5 Ineligible beneficiaries.
833.6 Evidence required.
833.7 Payments.
833.8 Forms.
833.9 Special instructions.
833.10 Deceased personnel other than Air Force.

AUTHORITY: §§ 833.1 to 833.10 issued under 41 Stat. 367, as amended; sec. 5, 53 Stat. 557, as amended; sec. 4, 62 Stat. 205; 10 U. S. C. 903, 10 U. S. C. and Sup. 456, 50 U. S. C app., Sup., 454.

DERIVATION: AFR's 173-28; 173-28A.

§ 833.1 *Purpose.* The regulations in this part outline the responsibilities of, and the procedures followed by the Air Force in connection with payment of the six months' death gratuity to eligible beneficiaries of deceased Air Force military personnel, hereinafter referred to as members.

§ 833.2 *General.* In accordance with the provisions of §§ 833.1 to 833.10, immediately upon official notification of the death, or presumptive finding of death, of any member from wounds or disease, not the result of his or her own misconduct, a death gratuity in an amount equal to six months' pay at the rate received by the deceased on the day of death, is payable to the eligible beneficiary of any such member. This includes compensation of every kind and character received at the date of death, as distinguished from allowances.

§ 833.3 *Definitions of categories.* Members whose eligible beneficiaries may receive payment of death gratuity are divided into three categories:

(a) *Category I.* Members of the Regular Air Force, Air Force of the United States on active duty and the Reserve Forces (the United States Air Force Reserve, the Air National Guard of the United States, and the Air National Guard while in the Federal service on extended active duty).

(b) *Category II.* Members of the United States Air Force Reserve and Air National Guard on active duty for training or undergoing inactive duty training, as authorized by competent authority where death is due to injury as distinguished from disease.

(c) *Category III.* Members reported missing in accordance with current regulations, who are subsequently determined to be dead or for whom presumptive findings of death are made by the Secretary of the Air Force.

§ 833.4 *Eligible beneficiaries.* Regulations require all members to execute Department of Defense Form 93, "Record of Emergency Data for the Armed Forces of the United States," indicating in the appropriate space thereon the person to receive the six months' death gratuity payment. Under the provisions of the laws governing such payment, the eligibility of the person or persons to whom such payment may be made depends upon relationship, designation, the ability to show an insurable interest in the continuance of the life of the deceased, a dependency upon the deceased, or a combination of all these factors. Such payment will be made to beneficiaries as follows:

(a) If there be a lawful widow (widower), payment will be made to such person only, regardless of whether designated.

(b) If there be no widow (widower), payment will be made to the child or children equally of any lawful marriage, regardless of whether designated.

(c) If decedent is not survived by a widow (widower) or child (children), the designated relative is eligible to receive payment without regard to order of precedence. Eligibility of certain classes of beneficiaries to receive payment, although designated, is dependent, however, upon the ability of the beneficiary to show dependency upon, or an insurable interest in the continued life of the decedent. Such beneficiaries are grandparents, aunts and uncles, nieces and nephews, and other more distant relatives.

(d) If decedent is not survived by a widow (widower) or child (children), and the first designated beneficiary is nonexistent or determined to be ineligible, the alternate designated beneficiary must be considered.

(e) If decedent is not survived by a widow (widower) or child (children), and Department of Defense Form 93 does not show a designation, the next of kin by class in the order of precedence indicated below will be considered and, is eligible, payment will be divided equally among such benficiaries:

(1) Grandchildren.
(2) Parents.
(3) Brothers—sisters.
(4) Grandparents.

Example. If more than one grandchild survives, each will be entitled to an equal share of the amount payable. If three grandchildren survive and only two submit claims, the two claiming will receive one-third each, the remaining share being considered as an amount payable in the event a claim is submitted by the third grandchild. This method of prorating amounts payable is applicable to each class of beneficiary enumerated in this paragraph.

§ 833.5 *Ineligible beneficiaries.* Persons who are not considered eligible to receive payment of the six months' death gratuity are:

(a) Any married child, notwithstanding the allegation of dependency or insurable interest upon the deceased.

(b) Any unmarried child over 21 years of age who is not actually a dependent of the deceased, regardless of the ability to show insurable interest.

(c) Any person who has taken the life of the deceased, even though such person would otherwise qualify as a beneficiary.

(d) Persons alleging loco parentis relationship, other than dependent relatives.

(e) Any person alleging common-law marriage to decedent where such allegation is not supported by the same quality and quantity of evidence which would be required to establish the validity of the marriage before the courts of the jurisdiction where contracted.

(f) Adoptive parents who cannot support allegation by documentary proof.

(g) Alleged widow who claims dissolution of former marriage, unless documentary proof is furnished.

(h) Any person not related to deceased by consanguinity (by blood) or by affinity (by marriage).

§ 833.6 *Evidence required.* The evidence required to establish the right of any person to receive payment of the six months' death gratuity is set forth in figure 1 for the different classes of beneficiaries. However, the accounting and disbursing officer responsible for effecting payment may require any additional evidence considered necessary.

FIGURE 1

Class of beneficiary	Evidence required					
	Nonexistence of widow (widower)	Relationship	Age	Conjugal condition	Dependency or insurable interest	Designation as beneficiary
Widow (widower):						
Previously designated	No	No	No	No	No	Yes, [1] [4] [7]
Not previously designated	No	Yes	No	No	No	No, [2] [4] [7]
Unmarried child or children under 21 years of age:						
Previously designated	Yes	No	Yes	Yes	No	Yes, [1] [5]
Not previously designated	Yes	Yes	Yes	Yes	No	No, [3] [5]
Unmarried child or children over 21 years of age:						
Previously designated	Yes	Yes	Yes	Yes	Yes	Yes.
Not previously designated	Yes	Yes	Yes	Yes	Yes	No.
Grandchild (grandchildren) nonexistence of widow (widower) child (children):						
Previously designated	Yes	No	Yes	No	No	Yes, [5]
Not previously designated	Yes	Yes	Yes	No	Yes	No, [5]
Parents:						
Previously designated	Yes	No	No	No	No	Yes, [5]
Not previously designated	Yes	Yes	No	No	No	No, [5]
Brothers and sisters:						
Previously designated	Yes	No	Yes	No	No	Yes, [5]
Not previously designated	Yes	Yes	Yes	No	No	No, [5]
More distant relatives (grandparents, aunts, uncles):						
Previously designated	Yes	Yes	No	No	Yes	Yes, [5]
Not previously designated	Yes	Yes	No	No	Yes	No, [5]

[1] The fact that the widow (widower) or child (children), as the case may be, was designated as beneficiary, will in itself be regarded ordinarily as sufficient to establish the identity of the payee.

[2] Where a payment is to be made to a widow (widower) not previously designated as beneficiary, affidavits from two disinterested persons, not related by blood, attesting to the following facts will be obtained and filed with the voucher: The length of time they have known the widow (widower), that they have known her (him) to be the lawful wife (husband) of the decedent at the time of his (her) death, and that to the best of their knowledge and belief no divorce has been granted.

[3] Where payment is to be made to a child (children) not previously designated, affidavits from two disinterested persons, not related by blood, attesting to the following facts will be obtained and filed with the voucher: That they knew the decedent, knew the mother (father), know that the child (children) is (are) the legitimate child (children) of the decedent, and know that the decedent was not survived by a lawful widow (widower) at the time of his (her) death and that the child (children) is (are) the only living child (children) of the decedent.

[4] In an instance where available information shows that the decedent had been at one time married to other than widow (widower) claiming the right to payment, she (he) must furnish evidence of dissolution of former marriage or marriages, i. e., divorce decree, annulment decree, or death certificate, whichever is appropriate. This evidence must also be furnished in the event claimant had been married previously.

[5] In an instance where a child (children) of decedent is (are) being considered for payment, evidence of dissolution of all prior marriages of parent is necessary. (See footnote 4.)

[6] In an instance where a relative(s) other than a widow (widower), child (children) is being considered, the person (persons) must furnish evidence of dissolution of any marriage the decedent may have entered into as well as nonexistence of child (children). (See footnotes 4 and 5.)

[7] In an instance where widow (widower) claims common-law marriage relationship to decedent, evidence to substantiate that marriage should be of the same quality and quantity which would be required to establish the validity of the marriage before the courts of the jurisdiction where contracted.

§ 833.7 *Payments.* Determination of the accounting and disbursing officer who will make payment of the six months' death gratuity is dependent upon the categorization of the decedent and the class of beneficiary to be considered for payment.

(a) *Category I.* Claims for payment of gratuity resulting from the death of members in this category will be paid by the accounting and disbursing officer serving the organization or installation to which the decedent was assigned at time of death. (See exception in par. (d) of this section.)

NOTE: If the misconduct status is in question no action will be taken by way of providing forms or in connection with the payment of gratuity until such misconduct status is determined in accordance with applicable regulations.

(b) *Category II.* (1) Gratuity pay claims resulting from the death of members in this category will be paid by the accounting and disbursing officer designated to pay the accounts of the Reserve Forces as prescribed by current regulations. (See exception in paragraph (d) of this section.)

(2) Gratuity pay claims resulting from the death of members in this category who are not in a pay status but who are nevertheless entitled to the benefits set forth in the act of June 20, 1949 (Pub. Law 108, 81st Cong.); 10 U. S. C., Sup. III, 456), will be paid by the accounting and disbursing officers charged with disbursements for the areas in which the decedents resided. (See exception in par. (d) of this section.)

(3) Since a line of duty investigation is required in any case in this category in accordance with current regulations, the accounting and disbursing officer will take no action in connection with gratuity payment until the Death Report is received from the Casualty Branch, Director of Military Personnel, Headquarters United States Air Force, through channels. The accounting and disbursing officer will then take immediate steps to furnish Finance Department Form 6 or Standard Form 1034 to the potential beneficiary.

(c) *Category III.* (1) Gratuity pay claims resulting from the death of members in this category will be paid by the accounting and disbursing officer serving the organization or installation to which the decedent was assigned at the time a determination or finding of death is made, as in the case of Category I, except that payment will not be effected until the Death Report is issued. (See exception in paragraph (d) of this section.) The accounting and disbursing officer will then take immediate steps to furnish Finance Department Form 6 or Standard Form 1034 to the potential beneficiary.

(2) Where the determination or presumptive finding of death is made by the Deputy Chief of Staff, Personnel, the accounting and disbursing officer at Bolling Air Force Base, Washington 25, D. C., will effect payment of the gratuity.

(d) *Exception; beneficiaries who must show dependency or insurable interest.* (1) If the beneficiary is one who must show a dependency upon or an insurable interest in the continued life of the decedent, a determination of the proper payee and the accounting and disbursing officer who will make payment will be made by the Director of Finance, Headquarters United States Air Force, Washington 25, D. C., in accordance with the approved policies of the Department of the Air Force, regardless of the category of the decedent.

(2) In these cases, the appropriate accounting and disbursing officer (depending upon the category of the decedent) will forward Finance Department Form 6 or Standard Form 1034 to the potential beneficiary, with instructions to return the executed claim to the Director of Finance, Headquarters United States Air Force, Washington 25, D. C.

§ 833.8 *Forms.* Claim for payment will be made on Finance Department Form 6, "Public Voucher for Six Months' Death Gratuity Pay"; however, if this form is not available, Standard Form 1034, "Public Voucher for Purchases and Services Other than Personal," appropriately modified, may be used. Forms will be forwarded to the potential beneficiary by the accounting and disbursing officer in accordance with the provisions of § 833.7.

§ 833.9 *Special instructions*—(a) *Six months' death gratuity exempt from indebtedness.* The amount of the six months' pay may not be used for the debts of the officer or airman, not even for overpayment. (See MS Comp. Dec., May 14, 1913.)

(b) *Relinquishment of right to payment.* If the deceased member had designated two beneficiaries to receive the six months' death gratuity payment, and the claim of the first designated beneficiary is disapproved because the evidence does not clearly establish dependency upon the deceased for support, or otherwise an insurable interest in him, the claim of the second designated beneficiary may not be considered unless the first beneficiary—who may desire to submit additional evidence tending to show dependency—has relinquished the right

to claim the gratuity payment. (See 22 Comp. Gen. 676.)

(c) *Will; not a designation.* A will is not a designation within the meaning of the act providing the six months' death gratuity pay, since the gratuity payment is not a debt or money due the officer or airman and canont become a part of the decedent's estate. (See 21 Comp. Dec. 856.)

(d) *Advanced in grade after date of death.* Section 2 of the act of March 7, 1942, as amended (sec. 2, 56 Stat. 144; 50 App. U. S. C. 1002), which entitles any member in active service officially reported as missing, missing in action, interned in a neutral country, captured by an enemy, beleagured or besieged, etc., to continue to receive, or have credited to his account, the pay and allowances to which he was then, or thereafter became entitled, does not authorize computation of the six months' death gratuity payment on the basis of pay for a grade to which a person was advanced after being officially reported missing, where it was later determined that the person had died prior to such advancement in grade. (See 22 Comp. Gen. 395.)

(e) *Declared dead after missing.* In the case of a member who was officially carried in a missing status and subsequently declared dead as of a certain date, the death gratuity in an amount equal to six months' pay at the rate received at the date of death should be computed on the pay rate to which the person was entitled on the date on which he was declared dead, rather than on the rate he was receiving at the beginning of the missing status. (See 22 Comp. Gen. 1053.)

(f) *Flying requirements not met when on flying status.* If a member dies while assigned to flying duty and has not made any flights during the three months succeeding the quarter in which he last complied with the flight requirements, his rate of pay for the payment of six months' death gratuity includes the increased pay for flying, although no flying pay had accrued to him on the date of his death and provided that he had not been indefinitely suspended from flying on that date. (See 7 Comp. Gen. 476.)

(g) *Waiver by lawful widow (widower).* A waiver by the lawful widow (widower) of a deceased person of her (his) statutory right to the six months' death gratuity pay is without force or effect, and does not operate to entitle the mother of the deceased, the designated beneficiary, to payment of the gratuity. (See 22 Comp. Gen. 676: 24 Comp. Gen. 46.)

(h) *Absent without leave.* During periods of absence without leave, service members shall continue in a pay status, but shall forfeit all pay and allowances during the absence. The six months' death gratuity is not a part of a member's "pay and allowances," therefore, if a member dies during an absence without leave, whether the absence is excused as unavoidable or not, and provided that the absence without leave does not exceed three months, payment of the six months' death gratuity at the rate of pay accruing to such member at the date of death is authorized if otherwise payable. This determination applies to all cases where absence without leave and death occurred subsequent to August 31, 1946. (See sec. 4 (b), 60 Stat. 964, as amended; 37 U. S. C., Sup., 33; and 29 Comp. Gen. 294.)

(i) *Death of beneficiary.* In the event of the death of any beneficiary before payment to and collection by such beneficiary of the amount authorized, payment will be made to the next living beneficiary in the order of succession stated in § 833.4.

(j) *Stepparents not designated.* Stepparents who are not designated as beneficiaries are not entitled to payment of the six months' death gratuity.

§ 833.10 *Deceased personnel other than Air Force.* Air Force accounting and disbursing officers are not authorized to make payment of the six months' death gratuity to beneficiaries of the United States Army, Navy, or Marine personnel, either Regular or Reserve, although they were responsible for the maintenance of the pay accounts of such personnel at time of death.

[SEAL] L. L. JUDGE,
Colonel, U. S. Air Force,
Air Adjutant General.

[F. R. Doc. 50-8113; Filed, Sept. 15, 1950; 8:50 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

[Circular No. 1763]

PART 149—EXCHANGES FOR THE CONSOLIDATION OR EXTENSIONS OF INDIAN RESERVATIONS OR INDIAN HOLDINGS

PUEBLO INDIANS AND CANONCITO NAVAJO GROUP IN NEW MEXICO

The following center head and sections are added to Part 149 immediately after § 149.83:

EXCHANGES FOR THE CONSOLIDATION OF INDIAN HOLDINGS IN CERTAIN AREAS SET APART FOR THE PUEBLO INDIANS AND THE CANONCITO NAVAJO GROUP IN NEW MEXICO

Sec.
149.84 Policy.
149.85 Applications for exchange; consent of Indians.
149.86 Deed of conveyance of offered land or interest.

AUTHORITY: §§ 149.84 to 149.86 issued under sec. 2, Pub. Law 226, 81st Cong.

§ 149.84 *Policy.* For the purpose of consolidating Indian lands, as authorized by section 2 of Public Law 226, 81st Congress (63 Stat. 604), private or State-owned lands or interests therein, including improvements and water rights, situated within the boundaries of the Indian area described in section I of the notice dated March 25, 1950, and published in the FEDERAL REGISTER (15 F. R. 1851, 1852-1855), may be offered in exchange for lands or interests therein, including improvements and water rights, selected within the boundaries of such Indian area, or within the public domain area described in section II of the notice dated March 25, 1950 (15 F. R. at pp. 1855-1857), or within any public domain in New Mexico.

§ 149.85 *Applications for exchange; consent of Indians.* (a) Except as modified by this section and § 149.86, applications for exchanges pursuant to §§ 149.84-149.86 must be filed, and the exchanges will be made, in accordance with §§ 146.2-146.9 of this chapter, covering exchanges of privately owned lands, and in accordance with §§ 147.2-147.12 of this chapter, covering exchanges of State-owned lands.

(b) The selected land or interest and the offered land or interest need not be in the same grazing district.

(c) Exchanges will be made only if the offered land or interest is similar in value to the selected land or interest.

(d) Each application for exchange must be accompanied by the written consent of the tribal authorities of the Pueblo or Navajo tribe within whose area either the offered or the selected land or interest is situated.

§ 149.86 *Deed of conveyance of offered land or interest.* The deed should recite that it is made "for and in consideration of the exchange of certain lands (or interests therein), as authorized by section 2 of the act of August 13, 1949 (63 Stat. 604)," and that the conveyance is made to the United States, as grantee in trust for the appropriate Pueblo Indian or Canoncito Navajo group.

OSCAR L. CHAPMAN,
Secretary of the Interior.

SEPTEMBER 11, 1950.

[F. R. Doc. 50-8087; Filed, Sept. 15, 1950; 8:45 a. m.]

[Circular No. 1765]

PART 166—ORIGINAL, ADDITIONAL, SECOND, AND ADJOINING FARM HOMESTEADS, AUTHORIZED BY THE GENERAL PROVISIONS OF THE HOMESTEAD LAWS

ADDITIONAL ENTRY FOR LAND CONTIGUOUS TO ORIGINAL ENTRY

In order to show amended requirements made by the act of August 3, 1950 (Public Law 639, 81st Congress), §§ 166.82, 166.84 and 166.85, together with the center head for such sections, are amended to read as follows:

1. The center head is amended to read: "Additional entry for land contiguous to original entry".

2. Sec. 166.82 is amended to read:

§ 166.82 *Statutory authority.* Section 2 of the act of April 28, 1904 (33 Stat. 527; 43 U. S. C. 213), as amended by the act of August 3, 1950 (Public Law 639, 81st Cong.), authorizes any person who theretofore entered, or might thereafter enter, less than 160 acres of land under the homestead laws who has not perfected the entry, or, if proof has been made, who still owns and occupies the land, to enter other and additional land lying contiguous to the original entry which, with the land first entered and occupied, will not in the aggregate exceed 160 acres. Section 3 of the act of April 28, 1904 (33 Stat. 527; 43 U. S. C. 213), prohibits the sub-

mission of commutation proof of an entry made under that act.

(R. S. 2478; 43 U. S. C. 1201)

3. Section 166.84 is amended to read:

§ 166.84 *Final proof.* Before proof may be submitted as a basis for patent under the act of April 28, 1904, as amended, the entryman must show that he has cultivated an amount equal to one-eighth of the area of the additional entry for at least one year after the additional entry is made and until the submission of final proof thereon. The cultivation may be performed on the original entry, on the additional entry, or on both, but where it is performed on the original entry it must be shown at the time of submission of final proof on the additional entry that the entryman still owns and occupies the original entry, and the cultivation must be in addition to that required and relied upon in making final proof on the original entry. No proof of residence will be required with respect to the additional entry.

The act of April 28, 1904, as amended, provides that final proof for the additional entry may be submitted only at the time of final proof for the original entry, or subsequent thereto, but it must be submitted within five years after the additional entry is made.

(R. S. 2478; 43 U. S. C. 1201)

4. Section 166.85 is amended to read:

§ 166.85 *Cancellation of original entry.* An additional entry under the act of April 28, 1904, as amended, cannot be based on an original entry which has been canceled. If for any reason an original entry is canceled after the additional has been allowed, the additional will be canceled also.

(R. S. 2478; 43 U. S. C. 1201)

OSCAR L. CHAPMAN,
Secretary of the Interior.

SEPTEMBER 11, 1950.

[F. R. Doc. 50-8089; Filed, Sept. 15, 1950; 8:45 a. m.]

[Circular No. 1764]

PART 257—LEASE OR SALE OF SMALL TRACTS, NOT EXCEEDING FIVE ACRES, FOR HOME, CABIN, CAMP, HEALTH, CONVALESCENT, RECREATIONAL, OR BUSINESS SITES

This part is completely revised as follows, effective 60 days after date of issuance hereof by the Secretary of the Interior:

Sec.

AUTHORITY: §§ 257.1 to 257.20 issued under 52 Stat. 609, as amended; 43 U. S. C. 682a.

§ 257.1 *Statutory authority; lands which may be leased or sold.* (a) The act of June 1, 1938 (52 Stat. 609), as amended by the act of July 14, 1945 (59 Stat. 467; 43 U. S. C. 682a) authorizes the Secretary of the Interior, in his discretion, to lease or sell a tract, not exceeding 5 acres in reasonably compact form, of any vacant, unreserved, surveyed public land, or surveyed public land withdrawn or reserved by the Secretary of the Interior for any purposes, or surveyed lands withdrawn by Executive Orders Nos. 6910 of November 26, 1934, and 6964 of February 5, 1935, for classification, which the Secretary may classify as chiefly valuable as a home, cabin, camp, health, convalescent, recreational, or business site. The act is applicable to lands in such areas as grazing districts, but is not applicable to lands withdrawn by the Secretary solely under delegated authority (e. g., under Executive Order No. 9337, of April 24, 1943), or to land in such reservations as national forests, national parks or national monuments, or to the revested Oregon and California Railroad or the reconveyed Coos Bay Wagon Road grant lands, in Oregon. The lands may not be leased or sold until classified for small tract purposes; and may not be occupied until a lease is executed and delivered to the lessee.

(b) The act applies to public lands in Alaska, and permits employees of the Department of the Interior stationed in Alaska, in the discretion of the Secretary, to purchase or lease one tract in Alaska for any purpose under the act, except as a business site.

§ 257.2 *Definitions.* (a) "Secretary" means Secretary of the Interior.

(b) "Director" means Director, Bureau of Land Management.

(c) "Regional administrator" means the proper regional administrator, Bureau of Land Management.

(d) "Manager" means manager of the land office for the district where the land is situated. Where there is no land office, it means the regional administrator.

(e) "The act" means the act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), as amended.

(f) Sites: (1) A "home site" is a site suitable for a permanent, year-round residence for a single person or a family.

(2) A "cabin site" is a site suitable for a summer, week-end, or vacation residence.

(3) A "camp site" is a site suitable for temporary camping and for the erection of simple or temporary structures and shelters, such as tents, tent platforms, etc.

(4) A "health site" is a site suitable for the temporary or permanent residence of a single person or of a family for the prevention or cure of disease or illness.

(5) A "convalescent site" is a site suitable for residence of a single person or family for the purpose of recuperation from a disease or illness.

(6) A "recreational site" is a site chiefly suitable for noncommercial outdoor recreation.

(7) A "business site" is a site suitable for some form of commercial enterprise.

§ 257.3 *Policy.* (a) It is the policy of the Secretary in the administration of the act of June 1, 1938, to promote the beneficial utilization of the public lands subject to the terms thereof, and at the same time to safeguard the public interest in the lands. To this end offers to lease sites will be considered in the light of their effect upon the conservation of natural resources and upon the welfare not only of the offerors themselves but of the communities or areas in which they propose to settle. Leases will not be awarded, for example, which would lead to private ownership or control of scenic attractions, or water resources, or other areas that should be kept open to public use. Nor will isolated or scattered settlement be permitted which would impose heavy burdens upon State or local governments for roads, schools, and police, health, and fire protection. Types of settlements or businesses which might create "eyesores" along public highways and parkways will be guarded against, and lands will not be leased or sold under the act if such action would unreasonably interfere with the use of water for grazing purposes or unduly impair the protection of watershed areas.

(b) No direct sale of lands will be made under the act. Use and improvement of the land under lease will be required before it may be purchased. Leases of lands which are classified for lease and sale will contain an option permitting the lessee to purchase as provided in § 257.13. Lands classified for lease only will not be sold and the option to purchase clause will not apply to such lands.

§ 257.4 *Classification of land.* (a) The regional administrator may classify lands under the act either on his own motion or upon the filing of an offer to lease, but no lease will be issued or sale authorized prior to classification of the land for such disposal. If the offer is in proper form and the status of the land warrants its consideration for classification under the act, the regional administrator upon receipt of the offer will proceed to make a determination whether ceed to make a determination whether the land should be classified for small tract purposes. If the tract is not suitable for such purposes, the offer to lease will be denied. Where the land has been withdrawn under the statutory powers of the Secretary, the concurrence of the bureau or agency having supervision over the land must be obtained prior to classification.

(b) Land may be classified as suitable for one or more of the types of sites specified in § 257.2, for disposal in tracts of 5 acres or less, depending on the character of the land, and either for lease and

sale, or for lease only, as specified in the classification order. Lands may be classified for lease and sale where found to be primarily suitable for use in accordance with the act, and where the disposal will not interfere with the use of private lands or with the administration of other Federal lands.

§ 257.5 *Qualifications of lessees; restrictions on lease.* (a) An offer to lease may be made by any person who is a citizen of the United States, or has declared his or her intention to become a citizen, who is 21 years of age or more, or, if under that age, is the head of a family. Unless warranted by special circumstances, where a husband and wife are living together, only one of them may acquire a tract under the act. Employees of the Department of the Interior stationed in Alaska may lease or purchase one tract in Alaska for any purpose under the act except business.

(b) Generally, no person will be permitted to hold, by lease or purchase, more than one tract under the act. Where more than one tract is needed, however, except as otherwise authorized by the regional administrator, each tract must be the subject of a separate offer to lease, complete in itself, and must be accompanied by a satisfactory showing that the allowance of more than one lease is warranted by the circumstances. In each offer to lease the offeror must furnish data sufficient to identify all other offers or applications under the act, if any, filed by him or by any member of his family residing with him. Such data should include the serial number of each such offer or application, the land office where filed, and the name and relationship to offeror.

§ 257.6 *Preference rights of offerors; veterans' preference.* (a) Where an offer to lease a tract is filed prior to the receipt by the manager of notice from the regional administrator that the area is under consideration for small tract classification, a preference right to lease will be accorded the offeror only if the land is thereafter classified for the type of site for which the offer was made, and the offeror agrees to conform his offer to the area and dimensions of the tract as specified in the classification order. An offer to lease, filed subsequent to the receipt by the manager of notice of contemplated classification and prior to issuance of the order, will not be accorded such preference right, but the offer will be retained by the manager pending classification of the land. If the land is classified for disposal under the act, the offer will be considered as a filing during an applicable period for simultaneous filings, provided the offer covers a tract subsequently established by the classification order, or the offeror conforms his offer thereto. If, however, the classification order provides for the use of the special procedure pursuant to § 257.8, such offer will be returned to the offeror, and will be accompanied by Form 4–775, "Drawing Entry Card", where it appears from the offer that the offeror, because of veterans' preference, is entitled to participate in the drawing under the special procedure.

(b) Where, prior to September 27, 1954, land is classified by the regional administrator on his own motion or the classification order embraces additional land, other than the tract for which a preference right is accorded under paragraph (a) of this section, veterans of World War II only and other persons entitled to credit for service of veterans of World War II, in accordance with 43 CFR 181.40 and 181.41, will have a preference right, for 90 days after the effective date of the classification of the lands, to file an offer to lease any of the remaining tracts (sec. 4, act of September 27, 1944; 58 Stat. 748; 43 U. S. C. 282). This preference right does not apply to veterans of World War I or other wars of the United States.

(c) Upon the expiration of the veterans' preference period, referred to in paragraph (b) of this section, any lands in the classification order not disposed of or embraced in pending valid offers to lease will become subject to filing of offers to lease by the public generally.

§ 257.7 *Offer to lease; general procedure.* (a) An offer to lease a site under the act must be filed on Form 4–776, "Offer to Lease and Lease under Small Tract Act", and in conformity with the instructions therein. Copies of the form may be obtained from the manager or the Director; and must be completed and filed in duplicate (in triplicate, if for a business site), with the manager or, if there is no land office in the State, with the Director. The duplicate forms need not be executed under oath but they must be signed by the offeror.[1] The offeror's signature to the offer will also constitute his signature to the lease, when the offer is accepted and executed by the proper officer on behalf of the United States.

(b) If the land has not been classified under this act, the offeror should describe the desired tract, not to exceed five acres, by aliquot parts of a legal subdivision. Where the land has been classified, the offeror should describe the selected tract in accordance with the classification order or plat of survey. In such cases the offeror may also indicate that in the event the selected tract is not available for lease to him, he is willing to accept a lease for any other available tract described in the classification order, which the manager may allocate to him.

§ 257.8 *Special procedure; drawing; notice.* (a) The special procedure provided in this section will be used whenever, in the opinion of the regional administrator or of the Director, a multiplicity of filings by those entitled to claim veterans' preference for service in World War II is anticipated during a simultaneous filing period to be provided for in an order of classification, in excess of the number of tracts available for lease, necessitating a drawing to determine priority. In such event, the classification order will state that the special procedure will be used and that a drawing, limited to persons claiming veterans' preference, will be held; it will indicate the number of small tracts available for lease; it will set out the minimum requirements, including veterans' credit for service in World War II; and other information, including the amount of rental and filing fees to be paid by those successful in the drawing.

(b) Any person who believes he has the necessary qualifications, including veterans' preference, upon request to the manager or the Director designating the classification order by number, may obtain Form 4–775, "Drawing Entry Card." The entry card, completely filled out in accordance with the accompanying instructions, must be returned within the filing period specified in the classification order in order to be eligible to participate in the drawing; it should not be accompanied by any payment of filing fee or rental. An entrant may file only one entry card under each classification order; if more than one card is filed, the entrant shall be ineligible to participate in the drawing or to obtain a lease under the classification order. A drawing of all properly filed cards will be held on the day stated in the classification order to establish an adequate list of eligibles and of alternates to whom will be allocated, in consecutive order, the available tracts.

(c) The successful entrants, to whom a tract has been awarded in the drawing, will be furnished in duplicate Form 4–776, "Offer to Lease and Lease", bearing the description of the tract allocated to the entrant. The forms must be completely filled out, signed and returned, accompanied by the proper rental and filing fees and evidence of qualification, within the time allowed by the manager. Where an entrant does not sign the lease forms or he was not qualified to enter the drawing, or for any reason fails to comply with the requirements within the time allowed, the award will be withdrawn and canceled upon the records, and the lot will become available to the alternate next in line of drawing.

(d) Entrants who are unsuccessful in the drawing and to whom no lot was allocated will be informed thereof by the return of their respective drawing-entry cards carying a notation to that effect. After the lots have been awarded and leases executed, the entry cards of the remaining unsuccessful alternates will be returned to them.

§ 257.9 *Filing fee.* Every offer to lease a small tract must be accompanied by a filing fee of $10. No fee is required for the filing of a "Drawing Entry Card" or with an application for purchase, or for renewal of a lease, based on an outstanding lease. The filing fee will be retained in all cases, except where for any reason no lease is awarded to the offeror and no tract is allocated to him in accordance with § 257.7 (b).

§ 257.10 *Rental payment.* (a) If the land has been classified, the offer to lease must also be accompanied by the rental, as specified in the classification order, for the entire lease period. If, for any reason, a lease is not issued, the rental payment will be returned.

[1] 18 U. S. C. 1001 makes it a crime for any person knowingly and wilfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

(b) Unless otherwise provided in the classification order, land classified for lease and sale will be leased for a three-year term with a rental of $15; land classified for lease only, except a business site lease, will be for a five-year term with a rental of $25 for the lease period. For a business site lease for five years the minimum rental is $100 for the lease period; the annual rental, however, will be based on percentages of the gross income as specified in the lease, Form 4–776.

Where the land has not yet been classified, an offer to lease a tract, for other than a business site, must be accompanied by a minimum rental payment of $15, and for a business site, $100. If the rental provided in the subsequent order of classification is greater than the rental payment accompanying the offer to lease, the deficiency must be paid before the lease will issue.

(c) If an offer to lease is not properly executed or is not accompanied by the required filing fee and rental payment or is otherwise irregular, it will not be accepted but will be returned to the offeror in the form received.

§ 257.11 *Issuance of lease.* The manager may issue leases for not to exceed five years, upon lands classified for lease only, and for not to exceed three years upon lands classified for lease and sale: *Provided*, (a) The offeror upon issuance of the lease will have only one tract under the act, and (b) the offer covers a tract established by the classification order. All other leases will be issued by the regional administrator. The lease, part of Form 4–776, will issue and be valid when executed by the proper officer on behalf of the United States. The lease will contain provisions relating to the improvements to be placed on the lands and such other conditions of occupancy as are set forth in the order of classification, including an appropriate set-back of the improvements from the boundaries of the leased tract. Plans for improvements may be submitted to the regional administrator for approval in advance of construction.

§ 257.12 *Assignment of lease; subleasing not permitted.* (a) The manager may act upon and approve assignments of leases, except that where the assignee already holds a small tract under the act, approval of the assignment will be in the discretion of the regional administrator. No assignment will be recognized unless and until approved by the appropriate officer. An assignment will not be approved until substantial improvements, suitable to the type of use for which the lease issued, are constructed on the land, except where, upon a showing made by the lessee satisfactory to the regional administrator and corroborated by the statement of at least one witness, the lessee's failure to construct such improvements was caused by unforeseen or unavoidable misfortune.

(b) Proposed assignments of leases must be submitted for approval in duplicate within 90 days from the date of execution. The proposed assignment must contain all the terms and conditions agreed upon by the parties thereto, must be accompanied by the same showing as to qualifications and holdings of the assignee as was required of the lessee in § 257.5, and must be supported by a statement that the assignee agrees to be bound by the provisions of the lease.

(c) The subleasing, in whole or in part, of a tract leased under the act will not be approved, and will constitute a violation of the terms of the lease.

§ 257.13 *Option to purchase; sale; patent.* (a) Lands will not be sold directly under the act but only on the basis of an outstanding lease, containing an applicable option to purchase clause. The option to purchase will apply only to tracts classified for lease and sale, and will afford the lessee or his duly approved successor in interest an opportunity to purchase the tract at or after the expiration of one year from the date the lease issued, provided the improvements required by the lease have been made, and the lessee or his successor in interest has otherwise complied with the terms and conditions of the lease. The option to purchase clause will set forth the appraised value of the unimproved land at the date the lease was issued. The net price at which the land may be purchased will consist of the appraised value plus the cost of survey, if any, necessary to describe the land properly, as provided in § 257.17, and minus an amount equal to the advance rental for each full lease year, if any, subsequent to the filing of the application to purchase.

(b) An application to purchase should be filed with the manager in duplicate on Form 4–775a during the term of the lease but not more than 30 days prior to the expiration of one year from the date of lease issuance, together with a statement as to the cost, type, and character of the improvements constructed on the land.

(c) If a sale is authorized, the applicant will be allowed 60 days from service of notice thereof to pay the amount required. If the purchase price is $100 or less, the entire amount must be paid within the 60-day period. If the price is more than $100 and not more than $200, at least $100 must be paid within the 60-day period and the balance within one year after such payment. If the price is more than $200, at least one-third of the purchase price but not less than $100 must be paid within the 60-day period, and the balance in two equal installments due, respectively, within one and two years after the date of the first payment.

§ 257.14 *Renewal of lease.* (a) An offer for the renewal of a lease must be filed not more than six months or less than 60 days prior to the expiration of the lease, and will accord the lessee or his approved successor in interest a preference right to a new lease only if it is determined that a new lease should issue, and upon such conditions and for such duration as may be fixed.

(b) The manager may act upon offers for renewal and issue new leases only if the land was classified for lease only, and the lessee has constructed satisfactory improvements on the tract appropriate to the type of use for which the lease originally issued, such as a substantial and presentable dwelling suitable for year-round or seasonal use where the land was classified for residence purposes. A lease for land classified for lease only will not be renewed if satisfactory improvements have not been constructed thereon during the lease term.

(c) A lease for land classified for lease and sale is not subject to renewal, except upon a showing satisfactory to the regional administrator, corroborated by the statement of at least one witness, that the lessee's failure to apply for sale of the tract is justified under the circumstances and that non-renewal of the lease would work an extreme hardship on the lessee.

§ 257.15 *Minerals; timber.* (a) Any lease or patent issued under the act will reserve to the United States (1) all deposits of coal, oil, gas, or other minerals, together with the right to prospect for, mine, and remove the same under such regulations as the Secretary may prescribe, and (2) all fissionable source materials, together with the right to prospect for, mine, and remove the same in accordance with the act of August 1, 1946 (60 Stat. 755; 42 U. S. C. 1801–1809). Any minerals subject to the leasing laws in the lands patented or leased under the terms of the act may be disposed of to any qualified person under applicable laws and regulations in force at the time of such disposal. No provision is made at this time to prospect for, mine, or remove the other kinds of minerals that may be found in such lands; and until rules and regulations have been issued, such reserved deposits will not be subject to prospecting or disposition.

(b) A lessee will not be permitted to cut timber from the leased lands without first obtaining permission from the regional administrator. Such permission will not be granted except where the timber is to be cut to clear the land or to make improvements thereon.

§ 257.16 *Rectangular survey; supplemental plats; streets and roads.* (a) The official township plats ordinarily provide the basis for descriptions of tracts, in compact form, in units of 5 acres or aliquot parts thereof. However, as an aid in the identification of the tracts on the ground, frequently it is desirable to subdivide, by survey, the areas classified for administration as small tracts in order that at least one corner of each such tract be marked on the ground. The condition of the original survey and the ease of identification of the individual tracts on the ground are governing factors in deciding whether additional surveys should be made. Such surveys, made simply for the purpose of marking corners of legal subdivisions of the rectangular surveys, are not considered as "special surveys," and the cost thereof will not enter into the selling price of the land. For convenience in description the tracts may be identified by lot numbers, but only by preparation of an official supplemental plat for that purpose by protraction from the subsisting record or based upon supplemental surveys in the field. Such identification will be effected as of the

date of official filing of the plat in the land office.

(b) Where a tract is situated in the fractional portion of a sectional lotting, a supplemental plat may be required to afford a suitable description. The plat will be prepared at the time the lease issues. If the subdivision of the sectional lotting would result in narrow strips or other areas containing less than 2½ acres, not suitable for sale or lease as separate units, such excess areas, in the discretion of the regional administrator, may be included in the adjoining 5-acre tracts.

(c) Unless otherwise provided in the classification order, the leased land will be subject to a right-of-way of not to exceed 33 feet in width along the boundaries of the tract for street and road purposes and for public utilities. The location of such access streets or roads may be indicated on a working copy of the official plat maintained in the land office; or where the land has been classified for lease and sale, the right-of-way may be definitely located prior or subsequent to the issuance of patents; and an appropriate clause reserving the easement for such right-of-way will be incorporated into each lease or patent.

§ 257.17 *Irregular tracts; cost of special survey.* Where, in the opinion of the regional administrator, the rectangular form is not the most desirable plan for development of an area, tracts irregular in form, not in excess of 5 acres each, may be leased or sold in accordance with the regulations in this part. In this matter the regional administrator may initiate action as an administrative measure, or may act upon an offer to lease. An offer to lease such tract should contain a metes and bounds description sufficiently complete to identify the location and boundaries of the land. A special official survey will be required of an irregular tract for purpose of identification and description in the lease or patent. If the action is initiated upon an offer to lease, the offeror will be required to make an advance payment to the manager, equal to the estimated cost of executing the survey, before the field work will be undertaken; he will be credited with any excess payments prior to the issuance of lease or patent. In the case of special surveys as administrative measures the cost of the survey will be considered as a normal expense under the regular appropriation available for surveying the public lands; and when the tracts are sold, the selling price shall not be less than the cost of survey of the particular tract. If there is a group of contiguous or closely associated tracts to be surveyed at one time, the cost of survey will be prorated among the several tracts on an acreage basis.

§ 257.18 *Tracts on unsurveyed land.* Unsurveyed public lands are not subject to lease or sale under the act. An offer filed for such lands will be rejected. However, if desired, the offeror may file a request for the survey of the lands with the regional administrator. The description must be sufficiently complete to identify the location, boundary, and area of the land. There should also be given, if possible, the approximate description or location of the land by section, township and range. A person who requests the survey of an area acquires no preferential right to apply for the land under the act upon the completion of the survey and the official filing of the plat. After the survey is completed and the official plat is placed on record, the surveyed area will be subject to the provisions of the act and an offer to lease may then be filed.

§ 257.19 *Termination or cancellation: removal of improvements.* (a) The lessee may terminate the lease, if he is not in default thereunder, subject to the consent of the regional administrator, by filing a notice of relinquishment of the lease in the proper land office. The manager may cancel any lease where the lessee has failed to comply with any of the terms, covenants, and stipulations of the lease, or to abide by any of the regulations in this part, and such default has continued for 30 days after written notice thereof.

(b) No refund will be made of rental for the unexpired term of a lease relinquished by the lessee or canceled by the manager for cause.

(c) Upon the termination, cancellation, or expiration of a lease, the lessee will have a period of 90 days within which to remove his improvements from the land or to make other disposition thereof; upon his failure to do so within the time allowed, the improvements will become the property of the United States.

§ 257.20 *Appeals.* An appeal pursuant to the rules of practice, Part 221 of this chapter, may be taken from the decision of any subordinate officer of the Bureau of Land Management to the Director, and from the Director's decision to the Secretary.

NOTE: The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

OSCAR L. CHAPMAN,
Secretary of the Interior.

SEPTEMBER 11, 1950.

[F. R. Doc. 50-8083; Filed, Sept. 15, 1950; 8:45 a. m.]

Appendix—Public Land Orders

[Public Land Order 671]

ALASKA

RESERVING PUBLIC LANDS FOR USE OF THE DEPARTMENT OF THE AIR FORCE FOR MILITARY PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 3337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Alaska are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the Department of the Air Force for military purposes:

Beginning at a point on the mean high tide line on the Bering Sea at the northwestern tip of St. Lawrence Island, approximate latitude 63°50' N., longitude 171°36' W., thence by metes and bounds:

S. 21°00' W., 2.7 miles.
N. 48°30' W., 1.1 miles.
N. 15°00' E., 1.7 miles to a point on the mean high tide line of Bering Sea.
N. 76°00' E., 1.6 miles to point of beginning.

The tract described contains approximately 1,700 acres.

Two road rights-of-way, 30 feet wide, described as follows:

Beginning at CAA Housing Site located near the village at Gambell, St. Lawrence Island, Alaska, a right-of-way 15 feet on each side of center line as follows:

Road No. 1. From point of beginning, South 63° 00' E. one and three-tenths (1.3) miles, more or less, to point of intersection with Western boundary of the above described tract.

Road No. 2. From point of beginning, South between the Runway and Troutman Lake two and three-quarters (2.75) miles; thence running Southeasterly generally along the South bank of stream one and one-half (1.5) miles; thence North 21°00' East generally two and three-quarters (2.75) miles; thence two-tenths (0.2) miles, more or less, to points of intersection with East Boundary of the above-described site.

This order shall take precedence over but not otherwise affect the Executive Order of January 7, 1903, withdrawing lands as a reindeer reserve, so far as such order affects above-described lands.

It is intended that the lands described above shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

OSCAR L. CHAPMAN,
Secretary of the Interior.

SEPTEMBER 11, 1950.

[F. R. Doc. 50-8086; Filed, Sept. 15, 1950; 8:45 a. m.]

NOTICES

DEPARTMENT OF STATE

[Public Notice 57]

ORGANIZATIONAL CHANGE IN BUREAU OF INTER-AMERICAN AFFAIRS

Pursuant to the requirements of section 3 (a) (1) of the Administrative Procedure Act (5 U. S. C. 1002; 60 Stat. 238), notice is hereby given that:

Effective September 1, 1950, the following organizational change is made for the Bureau of Inter-American Affairs of the Department of State:

(a) The Office of East Coast Affairs and the Office of North and West Coast Affairs are abolished.

(b) The Office of South American Affairs is established.

For the Secretary of State.

SEPTEMBER 11, 1950.

H. J. HENEMAN,
Director, Management Staff.

[F. R. Doc. 50-8129; Filed, Sept. 15, 1950; 8:52 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA RAILROAD TOWNSITE; MOOSE PASS TOWNSITE

NOTICE OF PUBLIC SALE

SEPTEMBER 6, 1950.

Notice is hereby given that the following lots in Moose Pass Townsite will be sold as hereinafter provided:

Block 1: Lots 3-6, inclusive.
Block 2: Lots 1-8, inclusive.
Block 3: Lots 2-5, inclusive.
Block 4: Lots 1-10, inclusive.
Block 5: Lots 1-10, inclusive.
Block 6: Lots 1-6, inclusive.

Appraised Price of Lots

All lots in Blocks 1 to 5 inclusive	$100.00
All lots in Block 6	25.00

Preference rights. Any person occupying any of the above lots on June 25, 1946, the date of completion of the subdivision survey of Moose Pass Townsite, or their assigns thereafter, will be given preference right of entry to lots occupied.

Claimants must file their applications for entry with the undersigned setting forth the basis of their claims for each lot included in their application. Each lot applied for must have valuable improvements and no person may apply for more than two lots. Each application must be verified by the affidavit of the claimant and corroborated by two witnesses. The affidavits may be subscribed and sworn to before any officer authorized to administer oaths and must bear his seal.

Applications must be accompanied by money order or certified check made payable to the Treasurer of the United States for the full appraised value of the lot or lots applied for as shown above.

Application blanks may be obtained from the undersigned, Box 480, Anchorage, Alaska, or from Robert A. Hall, Moose Pass Townsite Committee, Moose Pass, Alaska.

Any person claiming preference by reason of occupancy at the time of the subdivision survey must file his application in the U. S. Land Office at Anchorage, Alaska, on or before October 13, 1950, in order to obtain a preference right of entry.

All lots for which entry has not been made on the date of public sale will be subject to disposition at public sale as provided below in this notice.

Notice is hereby given that there will be offered at public sale to the highest bidder at 10:00 a. m. on the twenty-fifth day of October 1950, at the Sportsmen's Club, Moose Pass, all unsold lots in Moose Pass Townsite.

MOOSE PASS TOWNSITE

Terms of public sale. No lot will be sold for less than the appraised price. No bid exceeding that amount will be accepted unless made in multiples of five dollars.

The purchase price must be paid to the Manager of the U. S. Land Office at Anchorage within ten days after the date of the sale. Payment will also be accepted by the officer conducting the sale at the time of sale.

For each lot offered, the lot, block number and the appraised value will be announced by the Superintendent of Sales. Bids may then be offered by all who may care to do so, when it appears that there will be no further offers the lot will be declared sold to the last and highest bidder. No person shall acquire more than two lots, except that a person who has already bought two lots may make a bid on any other lots and if no other bids are made he may be declared the successful bidder.

The successful bidder will receive from the Supt. of Sales a Memorandum Certificate, Form 4-013a, stating he is the successful bidder for the lot, the amount of the bid and the description of the lot.

This certificate together with an application to purchase, Form 4-013, must be presented to the Manager of the U. S. Land Office at Anchorage within ten days after date of issue and must be accompanied by the purchase price or the memorandum receipt obtained from the Supt. of Sales, if payment was made at time of sale. Thereupon, if all else be regular, the Manager will issue a certificate of sale. Patent will be issued by the Bureau of Land Management, Washington, D. C.

The officer conducting the sale is authorized to reject any and all bids for any lot, and to suspend, adjourn, or postpone the sale of any lot or lots. After all the lots have been offered, the sale will be adjourned or closed, as the officer in charge may deem proper. Lots remaining unsold at the close of the sale will be subject to private entry for cash at the appraised prices.

Patents for the lots, when issued, will contain a reservation of fissionable materials.

Your careful attention is directed to Sec. 2373 R. S. which reads as follows:

"Every person who, before or at the time of the public sale of any of the lands of the United States, bargains, contracts or agrees, or attempts to bargain, contract or agree with any other person, that the last-named person shall not bid upon or purchase the land so offered for sale, or any parcel thereof, or who by intimidation, combination, or unfair management, hinders or prevents, or attempts to hinder or prevent, any person from bidding upon or purchasing any tract of land so offered for sale, shall be fined not more than $1,000.00 or imprisoned not more than 2 years, or both."

LOWELL M. PUCKETT,
Regional Administrator and Superintendent of Sales, Alaska Railroad Townsites.

[F. R. Doc. 50-8102; Filed, Sept. 15, 1950; 8:48 a. m.]

ALASKA RAILROAD TOWNSITES; WASILLA TOWNSITE

NOTICE OF PUBLIC SALE

AUGUST 9, 1950.

Notice is hereby given that there will be offered at public sale to the highest bidder, but at not less than the minimum appraised price of each lot, at ten a. m., on the sixth day of October 1950, at the Community Hall, Wasilla, the following unsold and forfeited lots:

Wasilla Townsite

Block 4: Lots 3 to 21, inclusive.
Block 5: All.
Block 6: Lots 3 to 11, inclusive.

Any other vacant or forfeited lot in Wasilla Townsite will be offered at this sale upon request to the Superintendent on the date of the sale.

LOWELL M. PUCKETT,
Regional Administrator and Superintendent of Sales, Alaska Railroad Townsites.

WASILLA TOWNSITE

Terms of sale. No lot will be sold for less than the appraised price. No bid exceeding that amount will be accepted unless made in multiples of five dollars.

The purchase price must be paid to the manager of the U. S. Land Office at Anchorage within ten days after the date of the sale. Payment will also be accepted by the officer conducting the sale at the time of sale.

For each lot offered, the lot, block number and the appraised value will be announced by the Supt. of Sales. Bids may then be offered by all who may care to do so, when it appears that there will be no further offers, the lot will be declared sold to the last and highest bidder.

The successful bidder will receive from the Supt. of Sales a Memorandum Certificate, Form 4-013a, stating he is the successful bidder for the lot, the amount of the bid and the description of the lot.

This certificate together with an application to purchase, Form 4-013, must be presented to the Manager of the U. S. Land Office at Anchorage within ten days after date of issue and must be accompanied by the purchase price. Thereupon, if all else be regular, the Manager will issue a certificate of sale. Patent will be issued by the Bureau of Land Management, Washington, D. C.

The officer conducting the sale is authorized to reject any and all bids for any lot, and to suspend, adjourn, or postpone the sale of any lot or lots. After all the lots have been offered, the sale will be adjourned or closed, as the officer in charge may deem proper. Lots remaining unsold at the close of the sale will be subject to private entry for cash at the appraised prices.

Patents for the lots, when issued, will contain a reservation of fissionable materials.

Your careful attention is directed to Sec. 2373 R. S. which reads as follows:

"Every person who, before or at the time of the public sale of any of the lands of the United States, bargains, contracts or agrees, or attempts to bargain, contract or agree with any other person, that the last-named person shall not bid upon or purchase the land so offered for sale, or any parcel thereof, or who by intimidation, combination, or unfair management, hinders or prevents, or attempts to hinder or prevent, any person from bidding upon or purchasing any tract of land so offered for sale, shall be fined not more than $1,000.00 or imprisoned not more than 2 years, or both."

WASILLA TOWNSITE

Block	Lot	Area	Appraisal
	3	8,467.5	$20.00
	4	8,054	20.00
	5	7,641	20.00
	6	7,228	20.00
	7	6,815	20.00
	8	6,402	20.00
	9	5,989	20.00
	10	5,576	20.00
	11	5,163	20.00
4	12	9,500	23.00
	13	9,500	23.00
	14	9,500	23.00
	15	9,500	23.00
	16	9,500	23.00
	17	9,500	23.00
	18	9,500	23.00
	19	9,500	23.00
	20	9,500	23.00
	21	9,500	23.00
	1	7,000	30.00
	2	7,000	25.00
	3	7,000	25.00
	4	7,000	25.00
	5	7,000	25.00
	6	7,000	25.00
	7	7,000	25.00
	8	7,000	25.00
	9	7,000	25.00
	10	7,000	25.00
	11	7,000	25.00
5	12	4,500	20.00
	13	4,500	20.00
	14	4,500	20.00
	15	4,500	20.00
	16	4,500	20.00
	17	4,500	20.00
	18	4,500	20.00
	19	4,500	20.00
	20	4,500	20.00
	21	4,500	20.00
	22	4,500	23.00
	3	7,000	25.00
	4	7,000	25.00
	5	7,000	25.00
	6	7,000	25.00
6	7	7,000	25.00
	8	7,000	25.00
	9	7,000	25.00
	10	7,000	25.00
	11	7,000	30.00

[F. R. Doc. 50-8106; Filed, Sept. 15, 1950; 8:48 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNERS EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Supp. 214), and Part 522 of the regulations issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in those regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportwear and Other Odd Outerwear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations (29 CFR, 522.160 to 522.165; as amended, January 25, 1950 (15 F. R. 399)).

Alvabelle, Inc., Broad Street, Montgomery, Pa., effective 7-26-50 to 4-30-51; 20 learners for expansion purposes (dresses).

Alvabelle, Inc., Broad Street, Montgomery, Pa., effective 7-26-50 to 4-30-51; 10 percent normal labor turnover (dresses).

Angelica Uniform Co., Summersville, Mo., effective 9-2-50 to 4-30-51; 10 percent normal labor turnover (washable service apparel).

Angelica Uniform Co., Summersville, Mo., effective 9-2-50 to 4-30-51; 15 learners for expansion purposes (washable service apparel).

Brookwood Manufacturing Co., 626-628 South 20th Street, Harrisburg, Pa., effective 8-28-50 to 4-30-51; 10 percent normal labor turnover (dresses and pajamas).

The Carlisle Garment Co., 44 North Bedford Street, Carlisle, Pa., effective 9-2-50 to 2-28-51; nine learners (dresses).

The Carlisle Garment Co., 44 North Bedford Street, Carlisle, Pa., effective 9-2-50 to 4-30-51; 10 percent normal labor turnover (dresses).

Carlisle Manufacturing Co., Manti, Utah, effective 9-1-50 to 4-30-51; 75 learners (dress shirts).

Champ Hats, Inc., Ninth and Greenough Streets, Sunbury, Pa., effective 7-26-50 to 4-30-51; 10 percent of productive factory force (hats).

Chicago Aurora Tailoring Co., Inc., 195 North Farnsworth Avenue, Aurora, Ill., effective 8-30-50 to 4-30-51; 7 percent of productive factory force (men's and women's custom tailoring).

David Manufacturing Co., 80 Broad Street, Beaver Meadows, Pa., effective 8-22-50 to 4-30-51; five learners (bathrobes).

Downing Garments, Inc., 110 Downing Street, Plymouth, Pa., effective 8-30-50 to 4-30-51; 10 percent normal labor turnover (dresses).

Exeter Fashions, Inc., 1131 Wyoming Avenue, Exeter, Pa., effective 8-28-50 to 4-30-51; 10 percent normal labor turnover (dresses).

William F. Fretz & Son, Doylestown, Pa., effective 8-25-50 to 4-30-51; 10 percent normal labor turnover (trousers).

William F. Fretz & Son, Pipersville, Pa., effective 8-28-50 to 4-30-51; 10 percent normal labor turnover (trousers).

Fulton Manufacturing Co., 241 East Fourth Street, McConnellsburg, Pa., effective 8-28-50 to 3-31-51; 7 percent of productive factory force (men's coats).

Galen Mills, Inc., Pine Grove Division, 137 North Main Street, Pine Grove, Pa., effective 8-25-50 to 4-30-51; 10 percent normal labor turnover (rayon woven underwear).

Gunnin Mfg. Co., Dawson, Ga., supplemental certificate, effective 8-31-50 to 4-30-51; 50 learners for expansion purposes (sport shirts).

International Hat Co., Oran, Mo., effective 8-28-50 to 2-27-51; five learners (hats).

Jack Land, Baltimore, Md., effective 9-4-50 to 3-3-51; five learners (ladies hats).

Lemont Pants Co., 310 Illinois Avenue, Lemont, Ill., effective 8-24-50 to 4-30-51; three learners (pants).

Marja Brassiere Co., Inc., 210-12 East Commerce, Jacksonville, Tex., effective 8-25-50 to 4-30-51; 10 percent normal labor turnover (corsets and allied garments).

Mode O'Day Corp., Plant No. 3, 39 Federal Avenue, Logan, Utah, supplemental certificate, effective 8-28-50 to 3-31-51; seven learners (dresses).

Movie Star of Mississippi, Inc., Purvis, Miss., effective 8-25-50 to 4-30-51; 90 learners for expansion purposes (ladies woven underwear).

Movie Star of Mississippi, Inc., Purvis, Miss., effective 8-25-50 to 4-30-51; 10 percent normal labor turnover (ladies worn underwear).

North Carol Shirt Co., Inc., Wall Street, Kinston, N. C., effective 8-25-50 to 4-30-51; 10 percent normal labor turnover (men's shirts).

Oberman & Co., Jefferson City, Mo., effective 8-25-50 to 4-30-51; 10 percent normal labor turnover (pants and shirts).

P. & M. Dress Co., Main Street, Turkey Run, Shenandoah, Pa., effective 8-25-50 to 4-30-51; 10 percent normal labor turnover (dresses).

Pamplin Dress Corp., Pamplin, Va., supplemental certificate, effective 8-28-50 to 2-28-51; two learners (dresses).

Park Sportswear Manufacturing Co., 107 Filbert Street, Roselle Park, N. J., effective 8-28-50 to 4-30-51; seven learners (skirts, ski-suits and blouses).

Pawtucket Dress Corp., 40 Church Street, Pawtucket, R. I., effective 8-25-50 to 4-30-51; 10 percent normal labor turnover (dresses).

Perry Manufacturing Co., Inc., 225 East Sycamore Street, Greensboro, N. C., effective 7-26-50 to 2-28-51; 15 learners for expansion purposes (pajamas and dresses).

Perry Manufacturing Co., 225 East Sycamore Street, Greensboro, N. C., effective 7-26-50 to 4-30-51; 10 percent normal labor turnover (pajamas and dresses).

Phillips-Jones Corp., Ozark, Ala., effective 8-28-50 to 4-30-51; 10 percent of productive factory force (men's pajamas).

R. W. Manufacturing Co., Winchester, Ill., effective 9-1-50 to 4-30-51; 15 learners for expansion purposes (dresses).

Ringer St. Croix Co., Stillwater, Minn., effective 8-25-50 to 4-30-51; 10 percent normal labor turnover (sport jackets).

St. Croix Falls Co., St. Croix Falls, Wis., effective 8-25-50 to 4-30-51; 10 percent normal labor turnover (sport jackets).

Sport-Kraft Manufacturing Co., Inc., 419 West Third Street, Lewes, Del., effective 7-26-50 to 4-30-51; 10 percent normal labor turnover (blouses).

Streamline Garment Corp., 316 South Thirty-second Street, Mattoon, Ill., effective 8-25-50 to 4-30-51; 10 percent normal labor turnover (dresses and sportswear).

Tennessee Overall Co., 401 North Atlantic Street, Tullahoma, Tenn., effective 9-4-50 to 3-31-51; three learners (pants, overalls, etc.).

Totsapparel Manufacturing Co., 3039 East Ninety-second Street, Chicago, Ill., effective 7-26-50 to 4-30-51; 10 percent normal labor turnover (men's and boys' shirts and pajamas).

Westbrook Dress Co., 24 Moser Road, Pottstown, Pa., effective 8-28-50 to 4-30-51; 10 percent normal labor turnover (dresses).

Hosiery Learner Regulations (29 CFR, 522.40 to 522.51; as revised January 25, 1950 (15 F. R. 283)).

The Bernhard Altmann Texas Corp., San Antonio, Tex., effective 8-29-50 to 8-28-51; 5 percent of the productive factory workers, not including office or sales personnel.

Early Bird Hosiery Mills, Hickory, N. C., effective 8-25-50 to 8-24-51; five learners.

Fleetwood Embroidery Mills, Inc., Fleetwood, Pa., effective 8-31-50 to 3-1-51; four learners (clocks on men's socks).

Golden City Hosiery Mills, Inc., Villa Rica, Ga., effective 8-24-50 to 8-23-51; five learners.

Granite Hosiery Mills, Granite Falls, N. C., effective 9-4-50 to 5-3-51; five learners.

Jackson Hosiery Mill, Jackson, Mo., effective 8-22-50 to 8-21-51; 5 percent of the total number of productive factory workers, not including sales and office personnel.

Miller White Hosiery Mills, Taylorsville, N. C., effective 8-25-50 to 8-24-51; five learners.

Pilot Hosiery Mills, Inc., Pilot Mountain, N. C., effective 8-22-50 to 8-21-51; five learners.

Quitman Manufacturing Co., Quitman, Miss., effective 9-1-50 to 8-31-51; 5 percent of the total productive factory workers, not including office or sales personnel.

Ruby Ring Hosiery Mills, Inc., Philadelphia, Pa., effective 8-31-50 to 8-30-51; 5 percent of the total number of productive factory workers, not including office or sales personnel.

The Vaughan Knitting Co., Inc., 2 High Street, Pottstown, Pa., effective 8-23-50 to 8-22-51; 5 percent of the productive factory workers, not including office and sales personnel.

Wilmington Hosiery Mills, Inc., Wilmington, Del., expansion certificate, effective 8-25-50 to 8-24-51; 5 percent of the total number of productive factory workers (learners may be employed as slipper sox sewers for a 480 hour learning period at an hourly rate of 59 cents).

Wyomissing Hosiery Mills, Mohnton, Pa., effective 8-25-50 to 8-24-51; 5 percent of the productive factory workers, not including office or sales personnel.

Cigar Learner Regulations (29 CFR 522.201 to 522.211; as amended January 25, 1950 (15 F. R. 400)).

Bayuk Cigars, Inc., Ninth and Columbia Avenue, Philadelphia 22, Pa., 10 percent of the total number of productive factory workers in each occupation listed; effective 9-1-50 to 9-1-51, cigar machine operators, 320 hours, 60 cents per hour; packers (cigars retailing for more than 6 cents), 320 hours, 60 cents per hour; packers (cigars retailing for less than 6 cents), 160 hours, 60 cents per hour; hand and machine strippers, 160 hours, 60 cents per hour.

Bayuk Cigars, Inc., Tenth and Bainbridge Streets, Philadelphia 47, Pa., 10 percent of the total number of productive factory workers in the occupation listed; effective 9-1-50 to 9-1-51, hand stripping, 160 hours, 60 cents per hour.

H. Fendrich, Evansville, Ind., 10 percent of the productive factory workers engaged in the occupation listed; effective 8-30-50 to 5-25-51, cigar machine operating, 320 hours, 60 cents per hour.

General Cigar Co., Inc., Robert Burns Dr., Philipsburg, Pa; supplemental certificate; 10 learners for expansion purposes; effective 8-29-50 to 2-28-51, machine operating, 320 hours, 60 cents per hour; packing (cigars retailing for 6 cents or less), 160 hours, 60 cents per hour; machine stripping, 160 hours, 60 cents per hour.

General Cigar Co., Inc., 1301-11 Seventh Avenue, Huntington, W. Va.; supplemental certificate; 50 learners for expansion purposes; effective 8-29-50 to 2-28-51, machine operating, 320 hours, 60 cents per hour; packing (cigars retailing for more than 6 cents), 320 hours, 60 cents per hour; machine stripping, 160 hours, 60 cents per hour; hand stripping, 160 hours, 60 cents per hour.

Bayuk Cigars, Inc., Mervine and Montgomery Avenues, Philadephia 22, Pa., 10 percent of the total number of productive factory workers in each occupation listed; effective 9-1-50 to 9-1-51, cigar machine operators, 320 hours, 60 cents per hour; packers (retailing for more than 6 cents), 320 hours, 60 cents per hour; hand and machine strippers, 160 hours, 60 cents per hour.

Glove Learner Regulations (29 CFR, 522.220 to 522.222; as amended January 25, 1950 (15 F. R. 400)).

Advance Glove Manufacturing Co., Rome, Ga., effective 8-31-50 to 10-24-50; 10 percent of the total number of workers employed in authorized learner occupations (work gloves).

The Boss Manufacturing Co., Peoria, Ill., effective 8-25-50 to 10-24-50; 10 percent of the total number of workers employed in authorized learner occupations (work gloves).

The Boss Manufacturing Co., Palm, Pa., effective 8-28-50 to 10-24-50; 10 percent of the total number of workers engaged in authorized learner occupations (work gloves).

The Boss Manufacturing Co., Lebanon, Ind., effective 8-28-50 to 10-24-50; 10 learners (work gloves).

The Boss Manufacturing Co., Kewanee, Ill., effective 8-28-50 to 10-24-50; 10 percent of the total number of workers employed in authorized learner occupations (work gloves).

Carhue Glove Co., Fond du Lac, Wis., effective 8-31-50 to 10-24-50; four learners (leather dress).

Fairfield Glove Co., Fairfield, Iowa; replacement certificate; effective 8-18-50 to 10-24-50; 10 learners (work gloves).

Fairfield Glove Co., Bonaparte, Iowa; replacement certificate; effective 8-18-50 to 10-24-50; 10 learners (work gloves).

Good Luck Glove Co., Metropolis, Ill., effective 8-28-50 to 10-24-50; 10 percent of the total number of workers employed in authorized learner occupations (work gloves).

Hansen Glove Corp., Ironwood, Mich., effective 8-24-50 to 10-24-50; 10 percent of the total number of workers employed in authorized learner occupations (leather dress).

The Ideal Glove Co., Inc., Pennville, Ind., effective 8-31-50 to 10-24-50; two learners (work gloves).

Illinois Glove Co., Effingham, Ill., effective 8-31-50 to 10-24-50; 10 percent of the total number of workers employed in authorized learner occupations (work gloves).

Illinois Glove Co., Champaign, Ill., effective 8-31-50 to 10-24-50; 10 percent of the total number of workers employed in authorized learner occupations (work gloves).

Illinois Glove Co., Pana, Ill., effective 8-31-50 to 10-24-50; 10 percent of the total number of workers employed in authorized learner occupations (work gloves).

Indianapolis Glove Co., Inc., Coshocton, Ohio, effective 7-25-50 to 10-24-50; 10 learners (work gloves) (replacement certificate).

Indianapolis Glove Co., Inc., Springfield, Ohio, effective 8-25-50 to 10-24-50; 10 percent of the total number of workers employed in authorized learner occupations (work gloves).

Lambert Manufacturing Co., Chillicothe, Mo., effective 8-31-50 to 10-24-50; 10 learners (work gloves).

Livermore Falls Glove Co., Livermore Falls, Maine; supplemental certificate; effective 8-23-50 to 10-24-50; seven learners (work gloves).

Morris Manufacturing Co., Newborn, Tenn., effective 8-31-50 to 10-24-50; 10 learners (work gloves).

Ross Glove Co., Sheboygan, Wis., effective 8-31-50 to 10-24-50; 10 percent of the total number of workers employed in authorized learner occupations, or 10 learners, whichever is the greater number (leather dress).

Spartan Glove Co., Dayton, Ohio; supplemental certificate; effective 8-25-50 to 10-24-50; six learners (work gloves).

Stott & Son Corp., Winona, Minn., effective 8-31-50 to 10-24-50; five learners (work gloves).

Tennessee Glove Co., Inc., Tullahoma, Tenn., effective 8-28-50 to 10-24-50; 10 percent of the total number of workers employed in authorized learner occupations (work gloves).

Wells Lamont Corp., Brownsville, Tenn., effective 8-24-50 to 10-24-50; 10 percent of the total number of workers employed in authorized learner occupations (work gloves).

Wells-Lamont Corp., Edina, Mo., effective 8-28-50 to 10-24-50; 10 percent of the total number of workers employed in authorized learner occupations (work gloves).

Wells Lamont Corp., Philadelphia, Miss., effective 8-28-50 to 10-24-50; 10 percent of the total number of workers employed in authorized learner occupations (work gloves).

Knitted Wear Learner Regulations (29 CFR, 522.68 to 522.79; as amended January 25, 1950 (15 F. R. 398)).

Gurney Manufacturing Co., Prattville, Ala., effective 7-26-50 to 4-30-51; 5 percent of the total number of productive factory workers employed in the plant, not including office and sales personnel.

H. T. Johnson Co., 78 Chauncey Street, Boston, Mass., effective 8-31-50 to 4-30-51; two learners.

McComb Manufacturing Co., McComb, Miss., effective 7-26-50 to 4-30-51; 5 percent of the number of productive factory workers, not including office and sales personnel.

McComb Manufacturing Co., McComb, Miss., effective 8-28-50 to 4-30-51; 65 learners for expansion purposes.

I. Mathews & Bros., 120 Sawyer Street, New Bedford, Mass., effective 9-2-50 to 4-30-51; 5 percent of productive factory workers, not including sales and clerical personnel.

Regulations Applicable to the Employment of Learners (29 CFR, 522.1 to 522.14).

Andrews Co., Spartanburg, N. C., effective 8-24-50 to 2-23-51; three learners; hand and machine operators, 480 hours; finishers, 480 hours; polishers, 480 hours, 60 cents per hour for the first 320 hours and 65 cents per hour for the remaining 160 hours (loom reels, harness, etc.).

Andrews Co., Spartanburg, S. C., effective 8-31-50 to 3-1-51; three learners; hand and machine operators, 480 hours; finishers, 480 hours; polishers, 480 hours, 60 cents per hour for the first 320 hours and 65 cents per hour for the remaining 160 hours (loom reels, harness, etc.).

Bainbridge Furniture Corp., Army Base, Bainbridge, Ga., effective 8-25-50 to 2-24-51; 15 learners; assembling, springing, upholstering, finishing, sewing, and cutting, 320 hours, 60 cents (manufacturing upholstered furniture).

California Artificial Flower Co., Providence, R. I., effective 8-27-50 to 2-26-51; 10 percent of the total number of workers employed in authorized learner occupations; only in the occupation of flower maker, including stepping-up, heading, tying, pasting, rosemaking, branching, and stemming, 160 hours, 60 cents (decorative flowers).

Corham Artificial Flower Co., White Plains, N. Y., effective 8-30-50 to 3-1-51; 10 percent of the number of experienced flower makers; only in occupation of flower maker including slipping-up, heading, tying, pasting, rosemaking, branching, and stemming, 160 hours, 60 cents (artificial flowers and feathers).

Cotton Belt Mattresses Co., Pinetops, N. C., effective 8-25-50 to 2-24-51; five learners; upholsterer, 480 hours; sewing machine operator, 480 hours, woodworking machine operator, 480 hours, mattress machine operator, 480 hours, 60 cents per hour for the first 320 hours and 65 cents per hour for the remaining 160 hours (bedding).

William Crabb & Co., Highway 70, Black Mountain, N. C., effective 8-25-50 to 2-24-51; 24 learners; drillers, 480 hours; grinders, 480 hours, 60 cents for the first 320 hours and not less than 65 cents for the remaining 160 hours (textile machine pants, etc.).

Dean W. Davis & Co., Kentland, Ind., effective 8-22-50 to 2-21-51; 10 percent of its total number of productive factory workers, not including office and sales personnel; coil winding, adjusting, soldering and machine operating, 480 hours, 65 cents for the first 320

hours and not less than 70 cents for the remaining 160 hours (coil winding).

Economy Furniture Upholstery, Austin, Tex., effective 8-24-50 to 2-23-51; nine learners; machine operator, 480 hours; upholsterer, 480 hours, 60 cents per hour for the first 320 hours and 65 cents per hour for the remaining 160 hours (upholstered living room furniture).

Glen L. Evans, Inc., Caldwell, Idaho, effective 9-22-50 to 3-21-51; 10 learners; fly tiers, 480 hours, 60 cents per hour for the first 320 hours and 65 cents per hour for the remaining 160 hours (fishing tackle).

Globe Slide & Film Co., Albion, Mich., effective 8-24-50 to 2-23-51; one learner; developer, printer, enlarger, and colorist, 320 hours, 60 cents (stereopticon slides).

H. B. Hat Co., Inc., Fall River, Mass., effective 8-23-50 to 2-22-51; two learners; sewing machine operators, 240 hours; trimmers, 240 hours, 65 cents (millinery).

F. T. Shank, 122 Western Street, Johnstown, Pa., effective 8-23-50 to 2-22-51; three learners; seat-back maker, 320 hours; sewing machine operator, 480 hours, 60 cents except in sewing machine operations—60 cents for the first 320 hours and not less than 65 cents for the remaining 160 hours (making chair seats and backs).

Shastid Manufacturing Corp., Houston, Tex., effective 8-26-50 to 2-23-51; four learners; sewing machine operators, 480 hours; springers, 480 hours; upholsterers, 480 hours; wood working machine operators, 480 hours, 60 cents per hour for the first 320 hours and 65 cents per hour for the remaining 160 hours (upholstered furniture).

Wizard Weavers, Columbus, Ohio, effective 8-23-50 to 2-22-51; four learners; reweaver, 480 hours, 60 cents per hour for the first 320 hours and 65 cents per hour for the remaining 160 hours (reweaving damages in clothing).

The following special learner certificates were issued in the Shoe Industry. These certificates authorize the employment of learners in any occupations except custodial, maintenance, supervisory, and office and clerical occupations. The learning period is 480 hours at not less than 65 cents an hour for the first 240 hours and not less than 70 cents an hour for the next 240 hours, except as otherwise indicated in parenthesis.

Blue Grass Shoe Co., Nicholasville, Ky., effective 8-31-50 to 10-15-50; 35 learners.

Boyertown Shoe Corp., Philadelphia and Reading Avenues, Boyertown, Pa., effective 8-31-50 to 10-15-50; 10 percent learners.

Maisak Handler Shoe Co., Inc., Senath, Mo., effective 8-31-50 to 10-15-50; 55 learners.

Truitt Bros. Inc., Belfast, Maine, effective 8-31-50 to 10-15-50; six learners.

Independent Telephone Learner Regulations (29 CFR 522.82 to 522.93; as amended January 25, 1950 (15 F. R. 398).

Commerce Telephone Co., Commerce exchange, Commerce, Ga., effective 8-31-50 to 4-30-51.

The following special learner certificates were issued to the school-operated industries listed below:

Adelphian Academy, Holly, Mich., effective 9-1-50 to 9-1-51; wood shop, assembler, millman and related skilled and semiskilled operation; 45 learners; 250 hours at 50 cents, 250 hours at 55 cents, 250 hours at 65 cents.

Auburn Academy, Auburn, Wash., effective 9-16-50 to 9-15-51; wood shop, milling machine helpers, grader, inspector, finisher, packer; 60 learners; 250 hours at 50 cents, 250 hours at 55 cents, 250 hours at 65 cents.

Forest Lake Academy, Route 2, Maitland, Fla., effective 9-1-50 to 9-1-51; print shop, typesetting, press, bindery, and related skilled and semiskilled operations; 15 learners; 350 hours at 50 cents, 325 hours at 55 cents, 325 hours at 65 cents.

Ozark Academy, Gentry, Arkansas, effective 9-16-50 to 9-15-51; broom shop, broom maker (winder) stitcher, sorter and related skilled and semiskilled operation; eight learners; 150 hours at 50 cents, 125 hours at 55 cents, 125 hours at 65 cents.

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available except that employers of student-workers employed in school-operated industries were not required to certify to the non-availability of experienced workers. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 11th day of September 1950.

ISOBEL FERGUSON,
Authorized Representative of the Administrator.

[F. R. Doc. 50-8090; Filed, Sept. 15, 1950; 8:46 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 3213]

AEROVIAS "Q", S. A., ET AL.; HAVANA-NEW YORK FOREIGN AIR CARRIERS PERMIT CASE

NOTICE OF HEARING

In the matter of the applications of Aerovias "Q", S. A., Compania Cubana de Aviacion, S. A., and Expreso Aereo Inter-Americano, S. A., under section 402 of the Civil Aeronautics Act of 1938, as amended, for temporary or permanent foreign air carrier permits authorizing foreign air transportation between Havana, Cuba, and New York, N. Y.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 402 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on October 2, 1950, at 10:00 a. m. (e. s. t.) in Room E-214, Wing "C", Temporary Building No. 5, 16th Street and Constitution Avenue NW., Washington, D. C., before Examiner J. Earl Cox.

Without limiting the scope of the issues presented by said applications, particular attention will be directed to the following matters and questions:

1. Whether the proposed air transportation will be in the public interest.

2. Whether applicants are fit, willing, and able to perform such transportation.

3. Whether the authorization of the proposed transportation is consistent with any obligation assumed by the United States in any treaty, convention, or agreement in force between the United States and Cuba or any other foreign country.

4. Notice is further given that any person, other than a party of record, desiring to be heard in this proceeding must file with the Board on or before October 2, 1950, a statement setting forth the issues of fact or law raised by said application which he desires to controvert.

For further details of the service proposed and authorization requested, interested parties are referred to the application on file with the Civil Aeronautics Board.

Dated at Washington, D. C., September 13, 1950.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 50-8107; Filed, Sept. 15, 1950; 8:49 a. m.]

[Dockets Nos. 4443, 4480]

EASTERN AIR LINES, INC., ET AL.; TOUR BASING FARES

CORRECTED NOTICE OF HEARING

In the matter of the investigation to determine the lawfuness of certain tour basing fares proposed by Eastern Air Lines, Inc., National Airlines, Inc., Pan American World Airways, Inc., Braniff Airways, Inc. and other carriers.

Notice is hereby given that the Notice of Hearing in this proceeding dated September 8, 1950, originally issued in this proceeding is corrected to show that the hearing will be held on September 25, 1950, at 10:00 a. m. (e. d. s. t.) in Conference Room A, Departmental Auditorium, between 12th and 14th Streets on Constitution Avenue NW., Washington, D. C., before Examiner F. Merritt Ruhlen, instead of in Room 5130, Commerce Building, 14th and Constitution Avenue, as stated in the original notice.

Dated at Washington, D. C., September 12, 1950.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 50-8108; Filed, Sept. 15, 1950; 8:49 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1422]

DELTA NATURAL GAS CO.

ORDER FIXING DATE OF HEARING

SEPTEMBER 12, 1950.

On June 19, 1950, Delta Natural Gas Co. (Applicant), a Kentucky corporation with its principal place of business in Stanton, Kentucky, filed an application for a certificate of public convenience and necessity authorizing the construction and operation of certain natural-gas facilities, subject to the jurisdiction of the Commission, all as more fully described in such application on file with the Commission and open to public inspection. By amendment thereto, filed on June 28, 1950, Applicant requested issuance of an order under section 7 of the Natural Gas Act, as amended, di-

recting Central Kentucky Natural Gas Company to sell and deliver such reasonable quantities of gas to Applicant as may be required to operate its feeder transmission and distribution systems.

Temporary authorization to construct and operate the requested facilities was granted by the Commission on August 22, 1950.

On August 22, 1950, the Commission granted Applicant's request for an order directing Central Kentucky Natural Gas Company to connect its facilities with those of the Applicant and to deliver and sell natural gas to Applicant for resale in Owingsville and Frenchburg, Kentucky.

The Commission finds:

(1) This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on July 7, 1950 (15 F. R. 4327).

(2) Good cause exists for the prescribing of a shorter period of notice than provided for in §§ 1.19 and 1.20 of the Commission's rules of practice and procedure (18 CFR 1.20).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, a hearing be held on September 28, 1950, at 9:45 a. m. in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the said rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: September 12, 1950.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50-8091; Filed, Sept. 15, 1950; 8:46 a. m.]

[Docket No. G-1402]

NEW YORK STATE NATURAL GAS CORP.

ORDER FIXING DATE OF HEARING

SEPTEMBER 12, 1950.

On May 31, 1950, New York State Natural Gas Corporation (Applicant), a New York Corporation, having its principal office at 30 Rockefeller Plaza, New York, New York, filed an application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, authorizing the construction and operation of a natural-gas compressor station subject to the jurisdiction of the Commission as fully described in the application on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on June 13, 1950 (15 F. R. 3704).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on October 4, 1950, at 9:30 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, forthwith dispose of the proceedings pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: September 12, 1950.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50-8092; Filed, Sept. 15, 1950; 8:46 a. m.]

[Docket No. G-1455]

HOPE NATURAL GAS CO.

ORDER FIXING DATE OF HEARING

SEPTEMBER 12, 1950.

On August 3, 1950, Hope Natural Gas Company (Applicant), a West Virginia corporation, with its principal place of business in Clarksburg, West Virginia, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural gas facilities subject to the jurisdiction of the Commission, all as more fully described in such application on file with the Commission and open to the public.

Applicant has requested that this application be heard under the shortened procedure provided by § 1.32 (b) of the Commission's rules of practice and procedure (18 CFR 1.32 (b)) for non-contested proceedings, and it appears to be a proper one for disposition under the aforesaid rule, provided no request to be heard, protest or petition raising an issue of substance is filed subsequent to the giving of due notice of the filing of the application including publication in the FEDERAL REGISTER on August 18, 1950 (15 F. R. 5518).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a public hearing be held on October 5, 1950, at 9:30 a. m. (e. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: September 12, 1950.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50-8093; Filed, Sept. 15, 1950; 8:46 a. m.]

[Docket No. G-1461]

UNITED NATURAL GAS CO.

ORDER FIXING DATE OF HEARING

SEPTEMBER 12, 1950.

On August 11, 1950, United Natural Gas Company (Applicant), a Pennsylvania corporation having its principal place of business in Oil City, Pennsylvania, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural-gas transmission facilities, subject to the jurisdiction of the Commission, as fully described in such application on file with the Commission and open to public inspection.

Applicant has requested that this application be heard under the shortened procedure provided by § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure for non-contested proceedings, and this proceeding appears to be a proper one for disposition under the aforesaid rule, provided no request to be heard, protest or petition raising an issue of substance is filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on August 30, 1950 (15 F. R. 5855).

The Commission orders:

(A) Pursuant to authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a public hearing be held on October 3,

1950, at 9:30 a. m. (e. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by § 1.8 and 1.37 (f) (18 CFR 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: September 12, 1950.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50-8094; Filed, Sept. 15, 1950; 8:46 a. m.]

[Docket No. E-6306]

NEW HAMPSHIRE ELECTRIC CO.

ORDER SETTING HEARING AND DIRECTING HOLDING OF PRE-HEARING CONFERENCE

SEPTEMBER 12, 1950.

An order to show cause has been issued; a response and motions to dismiss the proceeding have been filed by New Hampshire Electric Company; and request has been made for a hearing on all matters involved both of fact and law, and for a pre-hearing conference under § 1.18 of the Commission's general rules and regulations.

The Commission orders:

(A) A public hearing be held in Washington, D. C., at a time and place hereafter to be designated, on the issues in this proceeding, including those raised by the motions to dismiss.

(B) A pre-hearing conference be held to be presided over by the trial examiner assigned to this case at the offices of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., at 10:00 a. m. (e. s. t.) on September 19, 1950, under the provisions of § 1.18 of the Commission's general rules and regulations (18 CFR 1.18).

(C) Interested state commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's general rules and regulations (18 CFR 1.8 and 1.37 (f)).

Date of issuance: September 12, 1950.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50-8095; Filed, Sept. 15, 1950; 8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 25408]

WALLBOARD TAPE FROM OFFICIAL TERRITORY TO THE SOUTH

APPLICATION FOR RELIEF

SEPTEMBER 13, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin and I. N. Doe, Agents, for and on behalf of carriers parties to the tariff named below.

Commodities involved: Tape, wallboard, joining or reinforcing, carloads.

From: Points in Trunk Line and New England territories.

To: Points in North Carolina, Virginia, Kentucky and Tennessee.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: C. W. Boin's tariff I. C. C. No. A-726, Supplement 207.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-8103; Filed, Sept. 15, 1950; 8:48 a. m.]

[4th Sec. Application 25409]

WOOL FROM THE WEST TO OFFICIAL TERRITORY

APPLICATION FOR RELIEF

SEPTEMBER 13, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for and on behalf of carriers parties to his tariffs I. C. C. Nos. A-3776 and 1539.

Commodities involved: Wool and mohair, carloads.

From: Points in Western Trunk Line and Pacific Coast territories.

To: Points in Official territory.

Grounds for relief: Competition with rail carriers, circuitous routes and to maintain grouping.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-8104; Filed, Sept. 15, 1950; 8:48 a. m.]

[4th Sec. Application 25410]

SAND FROM ATTICA, IND., TO TAYLORVILLE, ILL.

APPLICATION FOR RELIEF

SEPTEMBER 13, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. G. Raasch, Agent, for and on behalf of the Wabash Railroad Company.

Commodities involved: Sand, carloads.

From: Attica, Ind.

To: Taylorville, Ill.

Grounds for relief: Competition with motor carriers and wayside pit competition.

Schedules filed containing proposed rates: Wabash Railroad Company's tariff I. C. C. No. 7324, Supplement 259.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-8105; Filed, Sept. 15, 1950; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 31-569, 70-2296—70-2298]

AMERICAN POWER AND LIGHT CO. ET AL.

ORDER RELEASING JURISDICTION OVER COUNSEL FEES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 18th day of August A. D. 1950.

In the matter of American Power & Light Company, File No. 70-2298; Bear, Stearns & Co., File No. 70-2296; A. C. Allyn and Company, Inc., File No. 70-2297; B. J. Van Ingen & Co., Inc., et al., File No. 31-569.

The Commission by order dated February 3, 1950, having permited to become effective a declaration, as amended, filed by American Power & Light Company ("American"), a registered holding company, regarding the sale by American of 500,000 shares (100 percent) of the common stock of its then electric utility subsidiary, Pacific Power & Light Company, for a base cash price of $16,125,000; and

Said order of February 3, 1950, not having contained a release of jurisdiction with respect to the payment of counsel fees by American and the Commission's Memorandum Findings and Opinion dated June 28, 1950, herein having stated that before final payment by American of any counsel fees in connection with said sale American should advise the Commission as to the amount of any fees proposed to be paid and indicate the character and extent of services rendered; and

The record having now been completed in respect to the foregoing and indicating that American proposes to pay the following fee:

Root, Ballantine, Harlan, Bushby & Palmer, $26,700.

The Commission, on the basis of its examination of the record, as completed, finding that the payment of the fee as set forth above is not unreasonable, and finding it appropriate to release jurisdiction over the payment of such fee:

It is ordered, That jurisdiction be, and it hereby is, released over the fees and expenses of counsel for American in this proceeding.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 50-8101; Filed, Sept. 15, 1950; 8:47 a. m.]

[File No. 70-2452]

UTAH POWER & LIGHT CO.

SUPPLEMENTAL ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE UNDER CERTAIN CONDITIONS

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 12th day of September A. D. 1950.

Utah Power & Light Company ("Utah"), a registered holding company and a utility operating company, having filed a declaration and an amendment thereto, pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (a) and 7 thereof and Rule U-50 thereunder, regarding the issue and sale at competitive bidding of 166,604 additional shares of its common stock, subject to a rights offering to its present stockholders, and $8,000,000 principal amount of its First Mortgage Bonds, ____% Series due 1980; and

The Commission having by order dated August 29, 1950 permitted said declaration, as then amended, to become effective subject to the condition that the proposed sales of securities not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record in this proceeding and a further order entered by the Commission in the light of the record as so completed, and subject to a reservation of jurisdiction with respect to the payment of all counsel fees and expenses in connection with the proposed transactions, including the fees and expenses of counsel for the successful bidders; and

Utah having filed a further amendment to its declaration setting forth that it had requested bids for the common stock only, bids for the bonds to be requested at a later date, and that in response to such invitations the following bids for the common stock were received:

Underwriter	Price to company (per share) [1]	Underwriter's compensation	Aggregate net proceeds
Union Securities Corp. and Smith, Barney & Co.	$24.25	$193,200.63	$3,846,886.37
Blyth & Co., Inc.	24.125	256,566.00	3,752,755.50
Lehman Bros.	24.25	209,887.20	3,740,219.80
Kidder, Peabody & Co. and Merrill Lynch, Pierce, Fenner & Beane	24.00	264,733.75	3,733,762.25
W. C. Langley & Co. and Glore, Forgan & Co.	22.50	244,500.00	3,504,090.00

[1] The price to the company indicates the subscription price to stockholders.

The amendment further stating that Utah has accepted the bid of the underwriting group jointly headed by Union Securities Corporation and Smith, Barney & Co., as set forth above; and it appearing that the underwriting agreement provides that the said underwriters will purchase from the company at the subscription price indicated above such of the shares as are not purchased upon exercise of subscription warrants, and that if any such shares are sold by the underwriters after the expiration of the subscription period and prior to 21 days after such expiration at a price in excess of the subscription price, the underwriters will pay to the company in addition to the subscription price one-half of such excess; and

The record not having been completed with respect to fees and expenses incurred in connection with the sale of said stock:

It is ordered, Subject to the terms and conditions prescribed in Rule U-24 that the said declaration, as amended, be and the same hereby is permitted to become effective forthwith subject to the following conditions:

(1) That jurisdiction heretofore reserved with respect to the sale of the bonds in that such sale shall not be consummated until a further amendment shall be filed setting forth the results of competitive bidding and a further order entered by the Commission in the light of the record so completed, be and the same hereby is continued; and

(2) That jurisdiction heretofore reserved with respect to counsel fees and expenses in connection with the sale of bonds and common stock, including the fees and expenses of counsel for the successful bidders, be and the same hereby is continued.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 50-8099; Filed, Sept. 15, 1950; 8:47 a. m.]

[File No. 70-2454]

NATIONAL FUEL GAS CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 12th day of September A. D. 1950.

National Fuel Gas Company ("National"), a registered holding company, having filed a declaration pursuant to the provisions of sections 9 (a) and 10 of the Public Utility Holding Company Act of 1935 and Rule U-43 promulgated thereunder, with respect to the following transaction:

National as the holder of 52.53 percent of the outstanding common capital stock of its utility subsidiary, Pennsylvania Gas Company, proposes to purchase 24,000 shares of such stock from the Executors of the Estate of Mary C. Jefferson, deceased, at a net cost to National of $16.50 per share. National also proposes to offer to purchase any other shares of such stock at the above price as may be tendered to it by any other stockholder of Pennsylvania Gas Company at any time within 20 days after the mailing of notice of such offer to said stockholders.

Said declaration having been filed and notice of said filing having been duly given in the form and manner prescribed by Rule U-43 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said declaration that the requirements of the applicable provisions of the act and rules thereunder are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that the said declaration be permitted to become effective, and deeming it appropriate to grant a request of declarant that the order become effective at the earliest date possible:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said act, that the said declaration be, and hereby is permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 50-8098; Filed, Sept. 15, 1950; 8:47 a. m.]

[File No. 70-2458]

UNITED GAS CORP. AND ELECTRIC BOND AND SHARE CO.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 12th day of September A. D. 1950.

Notice is hereby given that Electric Bond and Share Company ("Bond and Share"), a registered holding company, and its gas-utility subsidiary, United Gas Corporation ("United"), have filed a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935. The application-declaration states that the contract proposed to be entered into shall not become effective until approved by the Commission or until the Commission shall have advised the companies that it is without jurisdiction with respect to the proposed contract. The nature of the proposed transaction is summarized as follows:

United and Bond and Share have entered into a contract with National Research Corporation ("National"), a nonaffiliated company engaged in industrial research. Under the terms of the contract, National is to engage in certain research work in an effort to develop new processes or products based on natural gas and its constituents. Such services are to be performed by National at cost plus certain amounts for overhead as specified in the contract. The duration of the contract is to be until December 31, 1955.

Under the terms of the contract, United and Bond and Share will each contribute 50 percent of the costs of such research. The rights of the parties in all results of the work subject to the agreement are 40 percent each for Bond and Share and United, and 20 percent for National.

The contract provides that Bond and Share and United, between them, are committed to expend in each year on work to be done by National the following amounts:

1950 [1]	$12,500	1953	$250,000
1951	150,000	1954	250,000
1952	200,000	1955	250,000

[1] Times the number of full calendar months remaining in 1950 subsequent to the effective date of the agreement.

The contract provides that on or before October 1 of each year, National will submit a budget for the work to be done in the succeeding calendar year. If United and Bond and Share by December 1 of each year agree upon a program involving a budget of at least the amount shown in the above commitment for the succeeding calendar year then such program shall be adopted. If United and Bond and Share cannot agree upon such program then National is to proceed with the work and the amount of the budget for the succeeding calendar year shall be the amount set forth for such year in the above commitment.

The application-declaration states that expenditures by United and Bond and Share for any calendar year aggregating in excess of $1,000,000 will not be made unless the companies shall have given the Commission at least ten days prior notice of their intention to make such expenditure, and (1) no notice shall have been given to the companies by the Commission within such ten-day period that an application or declaration need be filed with respect to such expenditures, or that the Commission shall have given notice within such ten-day period that no application or declaration is required; or (2) an application or declaration filed by the companies with respect to the transactions shall have been granted or permitted to become effective by order of the Commission.

United and Bond and Share further state that the transactions contemplated under the contract are limited to the actual research work to be done by National and the expenditure of funds by United and Bond and Share in connection with such research work, as distinguished from the commercial exploitation of any patents or inventions resulting from such research work, either by way of licensing under such patents, or by way of organizing a corporation or other joint venture for the purpose of using or working such patents.

The Commission having on August 22, 1950, issued a Notice of Filing giving interested persons until September 7, 1950, at 5:30 p. m., e. d. s. t., to request a hearing, and such request having been made by Samuel Okin, a stockholder of Bond and Share, in a petition dated September 6, 1950, which petition set forth certain issues of fact and law which he desires to controvert, and the Commission having also received a request from the common stockholders' committee of Bond and Share that should the Commission approve the transaction, it impose a condition retaining jurisdiction to require cancellation, modification, or amendment of said contract; and

The Commission having considered said request for hearing and the allegations contained therein, and the request made for imposition of a condition, and it appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application-declaration and that said application-declaration shall not be granted nor permitted to become effective except pursuant to a further order of the Commission;

It is ordered, That a hearing on said application-declaration and on the matters relating thereto pursuant to the applicable provisions of the act and the rules of the Commission, be held on September 19, 1950, at 10:00 a. m., e. d. s. t., at the offices of the Commission, 425 Second Street NW., Washington 25, D. C. On such date the hearing room clerk in Room 193 will advise as to the room in which such hearing is to be held. Any person desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Secretary of the Commission on or before September 18, 1950, a request relative thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Harold B. Teegarden or any other officer or officers of this Commission designated by it for that purpose shall preside at such hearing. The officer or officers so designated to preside at such hearing are hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Commission having considered the allegations contained in the request for hearing, and the Division of Public Utilities having advised the Commission that upon the basis of its examination of said request for hearing and the request for a condition, and its examination of the application-declaration, the following matters and questions are presented for consideration, without prejudice to the Commission's specifying additional matters and questions upon further examination:

(1) Whether the proposed transactions are subject to the jurisdiction of the Commission by reason of the provisions of sections 9 (a) and 10 of the act.

(2) Whether, in the light of the public interest or for the protection of investors or consumers or to prevent circumvention of the act, the rules, regulations, or orders thereunder, any action should be taken by the Commission with respect to the proposed transactions under the provisions of section 12 (f); and, if so, what such action should be.

(3) Whether the proposed transactions satisfy the provisions of section 10 of the act, particularly sections 10 (b) and 10 (c).

(4) Whether, in the event that the Commission shall grant the application and permit the declaration to become effective, it is necessary in the public interest, or for the protection of investors and consumers or to prevent circumvention of the act, the rules, regulations, or orders thereunder, to impose any terms and conditions with respect to the said transactions.

(5) Whether, in the event that the Commission shall grant the application and permit the declaration to become effective, jurisdiction should be reserved over the proposed contract and the parties thereto, so that the Commission may, upon its own motion, or upon the application of any interested person, or in connection with any proceeding under Section 11 of the Act involving Bond and Share, require such contract to be cancelled, modified, or amended.

(6) Whether action by the Commission on the application-declaration should be deferred pending determination of the application of Bond and Share (File No. 54-127) to be relieved

of its commitment to dispose of its holdings of the common stock of United.

It is ordered, That at said hearing evidence shall be adduced with respect to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this Notice and Order by registered mail to the applicants-declarants herein, to all persons who have been granted leave to participate in the proceedings relating to the application of Bond and Share to be relieved of its commitment with respect to United (File No. 54–127), and that additional notice be given to all other persons by publication of this notice and order in the FEDERAL REGISTER and general release of this notice and order distributed to the Press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 50–8100; Filed, Sept. 15, 1950; 8:47 a. m.]

[File No. 70–2477]

STANDARD POWER AND LIGHT CORP. AND STANDARD GAS AND ELECTRIC CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 8th day of September 1950.

Notice is hereby given that there has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act"), a joint application-declaration by Standard Power and Light Corporation ("Standard Power"), a registered holding company, and its subsidiary Standard Gas and Electric Company ("Standard Gas"), also a registered holding company. Applicants-declarants have designated sections 6 and 7 of the act and Rules U-23 and U-24 promulgated thereunder as applicable to the proposed transaction.

Notice is further given that any person may, not later than September 29, 1950, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application-declaration which he desires to controvert or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed to the Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time thereafter said application-declaration may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said application-declaration which is on file in the office of the Commission, for a statement of the transaction therein proposed, which may be summarized as follows:

Standard Power is the holder of a 4 percent unsecured promissory note issued by Standard Gas in the principal amount of $983,930. Such note originally was due October 10, 1949, but was extended to October 10, 1950, by agreement of the parties and with the approval of the Commission. (See H. C. A. R. No. 9402.) Such note was issued pursuant to authorization of this Commission in File No. 70–1211 in lieu of the payment of cash by Standard Gas to Standard Power in retirement of the latter's holdings of certain notes and debentures of Standard Gas. Such authorization permitted the issuance of the note by Standard Gas "upon the condition that Standard Power and Light Corporation hold such note subject to the infirmities, if any, which presently inhere in its holdings of notes and debentures of Standard Gas and Electric Company and without prejudice to the right of the Commission to take such further action as may from time to time be appropriate under the applicable provisions of the act and the rules and regulations thereunder". The nature or extent of the aforementioned infirmities, if any, not having been determined, the original maturity date of such note was previously extended in order to maintain the status quo. Applicants-declarants state that the nature or extent of the infirmities, if any, are still undetermined and therefore propose a further extension of the maturity date from October 10, 1950, to October 10, 1951.

Applicants-declarants estimate that the attorneys' fees in connection with the proposed transaction will not exceed $700 and that other expenses will not exceed $100.

Applicants-declarants request that the Commission's order be issued as soon as possible and that it become effective forthwith upon issuance.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 50–8096; Filed, Sept. 15, 1950; 8:47 a. m.]

[File No. 70–2478]

COLUMBIA GAS SYSTEM, INC.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 12th day of September A. D. 1950.

Notice is hereby given that a declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by The Columbia Gas System, Inc. ("Columbia"), a registered holding company. Declarant has designated section 12 (b) of the act and Rule U-45 promulgated thereunder as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than September 27, 1950, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said declaration proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after September 27, 1950, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said declaration which is on file in the office of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

Columbia proposes to make a cash capital contribution of $300,000 to its wholly owned subsidiary, Binghamton Gas Works ("Binghamton"). In connection therewith, Columbia proposes to increase its investment in the common stock of Binghamton by a like amount. The cash to be received by Binghamton will be used to finance its 1950 construction program.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 50–8097; Filed, Sept. 15, 1950; 8:47 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 15017]

ALLIANZ LEBENSVERSICHERUNGS, A. G.

In re: Debts owing to Allianz Lebensversicherungs, A. G. F–28–22181–A–1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Allianz Lebensversicherungs, A. G., the last known address of which is 1 Jebenstrasse, Berlin-Charlottenburg, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has, or since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Those certain debts or other obligations, matured and unmatured, evidenced by fifty (50) 4¼ percent Corporate Stock Certificates of the City of New York for the Construction of Rapid

Transit Railroads, issue of April 19, 1916, of $1,000.00 face value each, said certificates bearing the numbers 1751-R-14/1800-R-14 and due April 1, 1966, together with any and all accruals to the aforesaid debts or other obligations, and any and all rights to demand, enforce and collect the same, and any and all rights in, to and under the aforesaid certificates, and

b. Those certain debts or other obligations, matured and unmatured, evidenced by one hundred (100) coupons, detached from the Certificates for 4¼ percent Corporate Stock of the City of New York, described in the aforesaid subparagraph 2 (a), said coupons each of $21 25 face value, fifty (50) due October 1939 and fifty (50) due April 1940, together with any and all accruals to the aforesaid debts or other obligations, and any and all rights to demand, enforce and collect the same, and any and all rights in, to and under the aforesaid coupons,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Allianz Lebensversicherungs, A. G., the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all actions required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 28, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-8116; Filed, Sept. 15, 1950; 8:51 a. m.]

[Vesting Order 15022]

FRANZ AND IDA GOERG

In re: Bonds and banks accounts owned by Franz Goerg and Ida Goerg, F-28-30594-A-1; E-1; E-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Franz Goerg, whose last known address is Klose Str. 28, Karlsruhe, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That Ida Goerg, on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941, has been a resident of Germany and is a national of a designated enemy country (Germany);

3. That the property described as follows:

a. An undivided two-thirds (⅔) interest in three (3) Republic of Chile Ext. S/F 6 percent Bonds, due May 1, 1963, each of $1,000.00 face value, in bearer form, bearing the numbers 508/10 inclusive, presently in the custody of The National City Bank of New York, New York 15, New York, in a safekeeping account numbered B27825, entitled, "Credit Suisse, sub-account Estate of Alice Goerg, deceased, Blocked Account, Zurich, Switzerland," together with any and all rights thereunder and thereto,

b. An undivided two-thirds (⅔) interest in that certain debt or other obligation of The National City Bank of New York, New York 15, New York, arising out of a cash account entitled "Credit Suisse, sub-account Estate of Alice Goerg, deceased, Blocked Account, Zurich, Switzerland," maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

c. An undivided two-thirds (⅔) interest in that certain debt or other obligation of J. P. Morgan and Co., Incorporated, 23 Wall Street, New York 8, New York, arising out of an account entitled "Credit Suisse-Sub A/C Estate of Alice Goerg, deceased, Blocked A/C," maintained at the aforesaid company, and any and all rights to demand, enforce and collect the same,

d. An undivided two-thirds (⅔) interest in that certain debt or other obligation of Brown Brothers Harriman and Co., 59 Wall Street, New York 5, New York, arising out of an account entitled "Credit Suisse, Zurich, Sub Account Estate of Alice Goerg, deceased—Blocked Account," maintained at the aforesaid company, and any and all rights to demand, enforce and collect the same, and

e. An undivided two-thirds (⅔) interest in that certain debt or other obligation of the Bankers Trust Company, 16 Wall Street, New York 15, New York, arising out of an account, entitled "Credit Suisse, Zurich, Sub-Account Estate of Mrs. Alice Goerg, deceased," maintained at the aforesaid company, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Franz Goerg and Ida Goerg, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 28, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-8117; Filed, Sept. 15, 1950; 8:51 a. m.]

[Vesting Order 15047]

LINA KLATTE

In re: Rights of Lina Klatte under insurance contract. File No. F-28-30754-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Lina Klatte, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 120280 issued by the General American Life Insurance Company, St. Louis, Missouri to Johann Klatte, together with the right to demand, receive, and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 29, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-8118; Filed, Sept. 15, 1950; 8:51 a. m.]

[Vesting Order 15054]

B. H. RATERMANN

In re: Estate of B. H. Ratermann, deceased. File No. D-28-9971; E. T. sec. 14138.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Heinrich Eggemann and Maria Theresia Emma Eggemann, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Theodore Eggemann, also known as Johann Theodor Eggemann, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the estate of B. H. Ratermann, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by John Lager, as executor, acting under the judicial supervision of the County Court of Clinton County, Illinois;

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Theodore Eggemann, also known as Johann Theodor Eggemann, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 29, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-8123; Filed, Sept. 15, 1950; 8:51 a. m.]

[Vesting Order 15049]

SHINJIRO KODAMA

In re: Rights of Shinjiro Kodama under Insurance Contract. File No. F-39-4872-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law after investigation, it is hereby found:

1. That Shinjiro Kodama, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 1,005,024, issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Shinjiro Kodama, together with the right to demand, receive and collect said net proceeds (including without limitation the right to proceed for collection against branch offices and legal reserves maintained in the United States), is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 29, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-8120; Filed, Sept. 15, 1950; 8:51 a. m.]

[Vesting Order 15048]

ALOIS KNAUER

In re: Rights of Alois Knauer under insurance contract. File No. F-28-30790-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Alois Knauer, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 97 825 271, issued by the Metropolitan Life Insurance Company, New York, New York, to Alois Knauer, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 29, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-8119; Filed, Sept. 15, 1950; 8:51 a. m.]

[Vesting Order 15050]

FRITZ LIMPERT

In re: Rights of Fritz Limpert under Insurance Installment Certificate. File No. F-28-26651-H-7.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Fritz Limpert, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under Continuous Installment Certificate No. D-92-520-J, issued by The Mutual Benefit Life Insurance Company, Newark, New Jersey, to Fritz Limpert, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 29, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-8121; Filed, Sept. 15, 1950; 8:51 a. m.]

[Vesting Order 15052]

MIMAJI MITSUBOSHI

In re: Rights of Mimaji Mitsuboshi under Insurance Contract. File No. F-39-4123-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mimaji Mitsuboshi, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under Agreement and Account Book No. 56842, executed in settlement of a contract of insurance evidenced by policy No. 9,232,494, issued by the New York Life Insurance Company, New York, New York, to Mimaji Mitsuboshi, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 29, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-8122; Filed Sept. 15, 1950; 8:51 a. m.]

[Return Order 739]

DR. HANS NISSL

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Dr. Hans Nissl, Vienna, Austria; Claim No. 35633; August 1, 1950 (15 F. R. 4933); $95.00 in the Treasury of the United States; 10 shares of no par value common capital stock of General Aniline & Film Corporation, a Delaware corporation, registered in the name of the Attorney General of the United States, Account No. 28-4815, represented by Certificate No. 4170, presently in the custody of the Safekeeping Department of Federal Reserve Bank of New York; an undivided ¼ interest in one share of 500 Swiss francs ordinary stock of Internationale Gesellschaft fur Chemische Unternehmungen A. G. (I. G. Chemie), a Swiss corporation, with dividend coupons 13/20 and talon attached, 50 percent paid prior to December 19, 1945, which share is represented by Certificate No. 288013, presently in the custody of the aforementioned Safekeeping Department.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on September 11, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-8126; Filed, Sept. 15, 1950; 8:52 a. m.]

[Return Order 740]

KARL VIRAG

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention to Return Published and Property

Karl Virag, New York, N. Y.; Claim No. 42170; August 4, 1950 (15 F. R. 5036). $1,310.43 in the Treasury of the United States.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on September 11, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-8127; Filed, Sept. 15, 1950; 8:52 a. m.]

[Return order 737]

SALVATORE LO FORTE

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention to Return Published and Property

Salvatore Lo Forte, Cliffside Park, New Jersey; Claim No. 4997; July 21, 1950 (15 F. R. 4704); $665.09 in the Treasury of the United States.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on September 11, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-8125; Filed, Sept. 15, 1950; 8:51 a. m.]

[Return Order 726]

WILLY POHLMAN AND LUCY POHLMAN NASCHEL

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published and Property

Willy Pohlman, Los Angeles, California, Claim No. 4317; Lucy Pohlman Naschel, Los Angeles, California, Claim No. 37796; July 14, 1950 (15 F. R. 4480). An undivided one-sixth interest in equal shares in the following described real property:

Parcel 1. That portion of Block 20 of Ord's Survey, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 53, Page 66 of Miscellaneous Records in the Office of the County Recorder of said County, described as follows: Beginning at the intersection of the Easterly line of Grand Avenue, 80 ft. wide, with the Northerly line of Seventh Street, 80 feet wide, as said streets are now established; thence along Seventh Street South 52° 13' 50" East, 60.25 feet to a point in the Southerly prolongation of a line between the Southeast wall of a 13 story building and the Northwest wall of a 13 story concrete building, said last mentioned point being North 52° 13' 50" West 270.55 feet from the Westerly line of Olive Street, 80 feet wide; thence along said prolongation and line between wals, North 37° 41' 40" East 108.65 feet to the South line of Lot "A" of Tract No. 811, as per map recorded in Book 16, Page 81 of Maps in the office of the County Recorder of said County; thence along said South line, North 51° 54' 30" West 61.05 feet to a point in the East Line of Grand Avenue, said point being also South 37° 16' 30" West 484.34 feet from the South line of Sixth Street 60 feet wide; thence along Grand Avenue, South 37° 16' 30" West 108.99 feet to the point of beginning.

Parcel 2. Lots 11 and 12 of the Lemmert Tract, in the City of Los Angeles, County of Los Angeles, State of California as per map recorded in Book 13, Page 35 of Miscellaneous Records in the office of the County Recorder of said County.

Parcel 3. Lot 13 of the Lemmert Tract, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 13 Page 35 of Miscellaneous Records in the office of the County Recorder of said County.

Parcel 4. Lots 7, 8 and 9 in Block 1 of W. G. Nevin Tract, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 1 Pages 53 and 54 of Maps in the office of the County Recorder of said County.

$18,387.64 in the Treasury of the United States, in equal shares to each claimant.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on September 12, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-8124; Filed, Sept. 15, 1950; 8:51 a. m.]